

## NORFOLK ISLAND.

BY AN OFFICER ON THE SPOT.

This is one of a small group in the South Pacific Ocean, distant about fourteen hundred miles from Van Dieman's Land, in a north-easterly direction. The three principal Islands are respectively known as Norfolk, Philip, and Nepean Islands; of these, the first is the chief, and only habitable one. It is of irregular form, the shores bluff and broken, its greatest length is about five miles and a half, extending from Point Blackburne to Point Howe. Its extreme breadth, measured between Point Ross and the opposite coast near Bird Island, is nearly four miles. It may have a superficies of about nine thousand acres. The general character of the interior is uneven, being broken by steep hills, and deep and narrow gullies or ravines, the former covered with forest timber in great variety, thickly interwoven with gigantic creepers, and dense growth of underwood. Water is found in sufficient quantity by digging, and the rivulets which run through the gullies suffer but little apparent diminution in the draught of summer.

The geological formation of the Island is porphyry, much degraded on the surface. On the north-eastern and other parts of the coast, there are basaltic appearances.

Boulders of green stone are every where found imbedded in the porphyry, all of them in a rounded form, as if from the action of water, and composed of layers like the coats of an onion. It has already been mentioned that limestone is found at the south-east extremity of the Island, and there only. Sandstone is found in company with it, in considerable quantity; the latter is much used for building purposes, being procurable in blocks or wedges of almost any size, and from its porous nature it is also valuable as dripstone. The greatest elevation on the Island is the summit of Mount Pitt, a wooded hill on the north-west side, which is estimated to rise eleven hundred feet above the sea.

Opposite to the Settlement, and separated by a channel only four hundred yards wide, is Nepean Island, which, a mere rock devoid of water or soil, exhibits no trace of vegetation save half a dozen stunted pines. It is frequented by innumerable sea fowl, who lay their eggs on the sand which covers its surface.

Beyond this again, at a distance of six

miles, and nearly due south from the Settlement is Philip Island, rising in a rugged and precipitous outline about nine hundred feet above the sea. Its geological formation resembles that of Norfolk Island. It is uninhabited save by a few wild goats, innumerable rabbits, and some fowls originally domestic, but to whom such classification is no longer applicable; the last do not multiply rapidly, owing probably to the scarcity of food and water; the latter, if procurable at all, are in such inaccessible positions, that visitors find it necessary to carry a supply with them. The Island is about a mile and a half long, with a medium breadth of three quarters of a mile.

The vast quantity of rabbits found here, added to the monotony of Norfolk Island life, rendering any change desirable, have proved an attraction to the sportsmen of the garrison, a party of whom occasionally cross over to pass a few days in this wilderness, occupying a weather-boarded hut, erected, I believe, under the direction of the late Captain Best, 50th Regiment, who lost his life when crossing the "bar," on his return from one of these excursions.

The landing place is on the north side of the Island, near a detached perpendicular rock; a creek recedes some eighty or a hundred yards; with from twelve to eighteen feet water, and a ledge of table rocks here affords good landing. The ascent now is by a fissure or chasm in the wall, the broken path being almost perpendicular, and more difficult even than it looks, owing to the crumling footing, and the deep sand which succeeds to the rock; when it is considered that hammocks, bedding, provisions, and water, have all to be carried up this ascent, it will be admitted that gunning here has its toils as well as its pleasures. My visit was a short one, having started at daybreak in a boat destined to bring back a party who had for some days been killing time and rabbits here: having scrambled over the first difficulties of the ascent, a fresh one awaits the visitor in the shape of an almost impervious underwood, the native cotton plant, more than breast high, being interlaced with a remorseless creeper, the cat's-clad vine. We found the party of sportsmen, as to externals, counterparts of Robinson Crusoe in his worst days, not one of them having a whole pair of breeches, and their other garments equally

torn in shreds by contact with the bush. The interior of the hut, however, showed no lack of creature comforts; at one end, half a dozen hammocks were slung in a double tier, at the other, were tables and forms, whilst the shelves groaned under store of bacon, bread, pickles, tea, and sugar; a hecatomb of dead rabbits occupied a corner, whilst in another, a heap of poultry spoke of previous spoils. Some gannets, whose downy skins were hanging to dry outside, and a centipede about eight inches long, were amongst the other captures; nor had the wild cocks and hens escaped the vigilance of the sportsmen. After a breakfast of devilled drumstick, rashers, and eggs, for which my trajet across the water had well prepared me, I set out, under guidance, to explore. The rabbits, young and old, of all sizes, and in every variety of color, were skurrying about in all directions: not a blade of anything that could be called grass is observable, so that leaves and the shoots of young trees and shrubs must be their food — whatever it is, they multiply fast; many were shot with large wens or goitres under the neck, others had hard warts and other excrescences. We ascended, toiling through a bed of sand, to a peak, whence we commanded a view of the greater part of the Island: to the southward, and just below us, was a precipice eight or nine hundred feet sheer descent; about four hundred yards from us, in the most inaccessible part of the island, we noticed ten or a dozen goats, upon whom a fire was of course immediately opened with balls, though without any further effect than making them "get out of that." Whilst thus employed we heard a report as of the booming of a distant gun: glancing down to the sea, I noticed a "black fish," a species of small whale, rise perpendicularly from the water, his head and half his body with lateral fins were discovered, then rolling over, he fell with a terrific splash, leaving only his forked tail protruding through the foam. A second or two after his disappearance, the sound occasioned by this manœuvre reached our ears, like a distant cannon shot; the marine monster continued the round of the coast, repeating this process, every thirty or forty yards.

The timber on Philip Island, though plentiful, is small and valueless. Several small birds frequent the bush, and I noticed a couple of red and blue parrots. Returning to the hut, we found awaiting us a kettle of capital rabbit soup, with a most savory stew of heterogeneous composition; having therewith fortified the inner man, all the traps were packed up, and the party commenced the descent to the boat. The poet's axiom however of "*fa-*

*cilis descensus averni*," was here entirely reversed; the process of reaching the bottom of the chasm with unbroken bones proved both *labor et opus*: with both hands disengaged, the matter is much simplified, but with a gun in one hand, and a bundle of bedding in the other, one had need to hold on by the eyelids. All being at length embarked, our whale boat under a stiff breeze brought us home in three quarters of an hour.

A comparatively small tract in Norfolk Island has been cleared for agriculture, still it is to be remembered that a large portion is incapable of being rendered available or profitable for such a purpose. Almost any sort of grain might, we imagine, be grown on the Island, but the principal crop is maize; of this grain, in 1836, sixteen thousand bushels were raised on something less than four hundred acres: for four successive years there was an increase, until in 1840 it reached its maximum of 27,000 bushels on 800 acres. In 1843, the crop had dwindled to 8,000 bushels on 600 acres: and the season of 1846 produced only a similar quantity. The annual island consumption at this time was about 20,000 bushels, the deficiency being made up by importation from Sydney; this proved so serious an item of expense, that wheaten flour has temporarily been substituted as the convict ration. Wheat, barley, rye, and oats, are grown in small quantities, but are unprofitable crops, owing, perhaps, to the want of skilful agriculturists: the climate and soil are said to be adapted to the cultivation of cotton; arrow-root and coffee are raised of excellent quality; tobacco also has been grown with success, but the experiment was not persevered in, owing to the facilities thereby afforded to the prisoners of indulging in the use of this forbidden luxury. The batata, or sweet potato, is cultivated in large quantities; it is propagated by the vines or suckers, and if kept moist for the first few days, it will grow at all seasons; the root may be dug in three months, but treble that time should be allowed it to come to perfection; it ought always, and does occasionally, form part of the convict ration, in which case it is useful to mix with the maize meal when manufactured into bread. The sweet potato is highly nutritious, and seems to be palatable and wholesome for all kinds of live stock — horses, cattle, swine, fowls, dogs, and cats, will all eat it and thrive.

The common potato answers well, as do peas, beans, asparagus, artichokes, and all the ordinary vegetables and garden herbs known in England. *Tomatas, chilis, and capsicums* have a rapid growth, and cucumbers

grow luxuriantly in open beds, as also pumpkins, vegetable marrow, &c. The list of fruits comprises grapes, figs, pineapples, peaches, guavas, cape-gooseberries, loquats, loveapples, strawberries, bananas, melons in every variety, apples (indifferent), quinces, lemons, and limes. The two last grow wild all over the Island in great profusion, and of excellent quality. Oranges were equally plentiful, until they were extirpated by order of a former Superintendent (Colonel Morrisett), with a view to limiting the means of subsistence of prisoners absconding to the bush.

The birds indigenous to the island are chiefly parrots, which are exceedingly numerous. There seem to be but three varieties, one is green, another red and blue — a handsome bird; the third is a male: the common pigeon abounds, and a wood quest somewhat larger than this is found; it is a bird of solitary habits, and is much prized as a delicacy for the table; this latter circumstance has so thinned the numbers, that it is now rarely met with: there is also a robin, and other small birds, none of them having much note. Numerous kingfishers and sea-fowl, as the puffin, gannet, boat-swain, and mutton bird frequent the coast in great numbers.

Fish may be caught in any quantity near the island, and some good species are found, but this obvious mode of furnishing some variety to the sameness of Norfolk Island fare, was totally neglected until recently, or since the arrival of the present Civil Commandant: the plea we heard advanced on our arrival, was the supposed danger of having any boats afloat, except in cases of urgent necessity; nevertheless, there was at this time a free crew to man the boat. The few boats on the island are of course the property of the government, and, except when communicating with the government vessels at their periodical visits, they are drawn up and secured in a boat shed, under charge of a guard. Latterly, a boat has been sent out to fish, twice a week, weather permitting; sometimes a ton and a half weight has been taken in a few hours. The commoner sorts are "trevally" and "trumpeters," ranging from 5lbs. to 20lbs., "snapper," from 5lbs. to 50lbs., the kingfish, which attains to 70lbs. or 80lbs., with the so-called "salmon," skipjacks, and other smaller sort; rock cod are likewise found; sharks, though not of a large size, frequently carry off the hooks of the fishermen — I believe they have not been known to come within the "bar." Bathers, at any rate, are under no apprehensions, being secured against these intruders by a reef of rocks which isolates the small bay whither they usually resort.

Near the entrance of the boat harbor and opposite the reef is the blow-hole, a name applied to a deep cave which has been undermined or hollowed out by the sea; the waves rush in here with violence, and the cavern being perforated above, the water is forced up at intervals, and shoots through the aperture in a lofty column of spray. The effect produced is striking; curiosity led me one evening to the site of this natural *jet d' eau*; the opening is nearly circular, about twelve feet in diameter, and the depth of the chasm may be about fifty feet; creeping along the rock on hands and knees to the brink, I gazed down upon the angry surge, which rolled in and spent itself in buffeting the rugged sides of the cavern, once in about every two minutes; when a heavier sea than usual set in, a column of water was shot up far above me, with a concussion and deafening roar that made the rock quake under me, and on its descent deluged me with spray.

This impromptu shower-bath tended to check a sort of fascination I felt creeping over me, accompanied by an unaccountable impulse to cast myself down into the troubled surges below, and urged me to a timely retreat.

Although not one of the sickly sentimental school, which finds peculiar pleasure in frequenting grave-yards, we share, in common probably with many others, the prejudice in favor of securing a resting place in Christian burial ground in preference at any rate to that mode of sepulture which, we are assured by old Montaigne, was amongst some of the ancients esteemed more honorable; we allude to the practice of dutiful children making a repast of their deceased parents — a practice, by the way, of which we were sometimes reminded here, by our proximity to the most refined of cannibals, the New Zealanders, whose performances in this line are not exclusively dictated by claims of consanguinity.

But few days had elapsed at Norfolk Island, before my wanderings brought me to the burial ground, a secluded spot near the sea, where the roaring of the surf, as it breaks on the adjacent rocks, alone disturbs the stillness of the place. In this enclosure, protected by a rude railing from the incursions of the cattle, no "storied urn or animated bust" claims attention, yet few can stand here and glance around without finding food for reflection, in the utter isolation of their position, in the vain hopes and doubtful future of many who have found their last resting place in a spot so painfully remote from home, kith and kindred. We know that all "alike await the inevitable hour" — the rich, the poor, the young, the old, the hardened sinner, and the infant, un-



conscious of guilt: but *here*, we cannot but fear that these mounds of earth cover more than the ordinary proportion of unrepentant offenders. We shudder as we reflect upon the mad career of crime and reckless depravity which has here been closed; the cares and sufferings, the ungodliness and ingratitude which lie interred within this narrow space. A modern writer has inquired, "What occasion is there now to extend life to a patriarchal age, when a man contrives to comprise all crime within seventy years?" How many examples are here afforded, in which a far briefer career has exhausted wickedness, in all its most hideous forms? How large a proportion of the occupants of this abode of the dead have met an untimely and violent end? Here, a range of parallel mounds marks where thirteen mutineers fell in one day, by the fire of the military. There, and there again, a cluster of graves indicates that the perpetrators of cold-blooded murders have passed, not singly, but in bands of ten or twelve, from the gallows to the grave.

Accident has concurred, with more than usual frequency, to assist the turbulence of passion and premature decay in filling up this cemetery. Many soldiers are noted on their head-stones, as having been drowned on the "bar," when employed on duty as a boat guard; some accidentally shot when capturing absconders in the bush. It was crossing the "bar," on his return from a shooting excursion at Philip Island, that the Honorable Captain Best, 50th regiment, met his death at an early age. A heavy mass of masonry marks his grave and records his fate.

Upon the principle, I presume, that death is a universal leveller, or that all here have died for their country's good, all ranks and condition, bound as well as free, are interred almost indiscriminately in the same enclosure; the aristocrat sleeps in death within a few yards of the felon fresh from the drop.

"There they alike in trembling hope repose."

On our arrival at the island, the number of prisoners on the settlement was about eleven hundred; in these were comprised all the so-called "old hands," which term is applied to colonially convicted prisoners, sent here from Sydney and Hobart Town, in contradistinction to the arrivals direct from England, who are known as "new hands."

It would, of course, seem judicious to retain on the settlement, where means of coercion are more readily available, the most desperate characters in this lawless community; in addition to these, all the prisoners who profess Romanism are located here, to afford them ac-

cess to the chapel or building, which has been fitted up in accordance with their form of worship.

The prisoners' barrack, which is only used as a dormitory, consists in a three-story building of a centre and two wings; the wards vary in their capacity to accommodate from 30 to 100 men; each man is provided with a hammock and two blankets. The hammocks are lashed in double tiers, not slung, but drawn out by lanyards to the stanchions; the greatest number sleeping in one room, at this time, was eighty-two, a number far too great for discipline, or for the effectual repression of that odious crime, whose prevalence is the most revolting feature in the Statistics of the Probation System. This growing evil has not escaped the notice of legislations at home, but beyond deprecating its existence, and censuring colonial subordinates, no remedy has hitherto been advised or suggested; the difficulties for providing such are manifest, where the crime has almost ceased to be held other than venial by these degraded classes. In Norfolk Island the practice seemed to confer an influence and preëminence in this commonwealth of infamy; perhaps the true cause of its continuance and increase is to be found in the grand and fundamental error of the Probation System; that aggregation of criminals in large bodies for labor by day, and to sleep at night, without sufficient and trustworthy supervision, or suitable arrangements of dormitories.

The utmost cleanliness is preserved with regard to the rooms and bedding, to attend to which, wardsmen are appointed who are exempt from other labor. The overseers were housed in the right wing of the building, in two rooms, somewhat more comfortably fitted, having standing berths and additional bedding. On the table were a lamp and a Bible, and against the wall I noticed a board of instructions for religious exercises, compiled and signed by an ex-chaplain. On inquiry, I found that the practice of morning and evening prayer, (exclusive of the regular daily services), which formerly prevailed in this ward, had fallen into desuetude; my informant, the wardsmen, said he could not give any particular reason, he only knew it was so. They still agreed very well, but *they had given up the Bible*. In the morning they were too sleepy to read, and in the evening too tired! This was candid, at the least, and it recurred to me that a similar state of affairs was rather prevalent in other communities, where the excuse was less admissible.

A lofty wall surrounds the barrack, which is built near the sea, not many yards from high-water mark. Within the enclosure are several



detached buildings ; on one side is a range appropriated as the Romish Chapel ; the corresponding one, on the opposite side, is the Protestant place of worship. The vestry-room serves as the receptacle for the few works which constitute the prisoners' library ; the books were a very indifferent selection, chiefly landed from the convict ships, from my experience of which, I had come to the conclusion that they were supplied by contract, without reference to any other object than the advantage of the contractor. Adjacent to this building, a wretched stone-paved room serves as court-house or police office, by day, and as a school-room in the evening ; there is instruction daily, from 6 to 8, P. M., for such as choose to attend. The numbers of these fluctuate ; at the time I inquired, the average daily attendance was *forty*, out of *seven hundred*. Rather a discouraging result this, for the enthusiasts of the Probation system, the moral and religious regenerators. The schoolmaster (a convict) is assisted by instructors, volunteers from their own body, whose attendance seemed to be irregular. The chaplains, of course, exercise a general superintendence over the schools, of which there is one at each of the three stations.

The hours of labor are from sunrise to sunset, one hour is allowed for breakfast, and one for dinner, in the winter : during the six summer months, an additional hour used to be allowed for the latter meal, but the practice no longer exists. The bell for rising rings at 5, A. M. ; after prayers, the different gangs are mustered out, and start, in charge of overseers, to labor at their respective posts, in various parts of the island. At 5, P. M., they knock off work, and at six o'clock are rung into prayers, preparatory to muster and locking up.

The prisoners' breakfast consists of "hominy," i.e., maize-meal boiled with water and a little salt, to render it more palatable, it is usually eaten with a small quantity of fat or "slush," the skimming of the flesh pot : habit has reconciled the "old hands" to this hominy, but, to the new comers, it is so distasteful that the stomach frequently rejects it. The dinner is of salt beef, usually of very inferior quality, losing much in the cooking. Supper the same as breakfast.

The prescribed daily ration for convicts, as extracted from the book of local regulations, is—

1 lb. of salt beef	1 oz. of sugar
1 1-2 lb. of maize-meal	1-2 oz. of soap
2 lbs. of sweet potatoes	1-2 oz. of salt.

At Norfolk Island this is liable to variation. The most valuable and palatable part of the ration is the sweet potatoes, and these, for many months during our sojourn, the agricul-

tural department was unable to supply ; an instance of gross neglect or mismanagement. It was necessary, however, to furnish an equivalent ; but it will scarcely be credited elsewhere, that a few ounces of salt pork were issued to each man, as a *substitute* for vegetables ; much dissatisfaction was excited by this forced and unholy alliance between varieties of junk, but there was no alternative but to receive this new version of the Barmecides' feast, to swallow the perk, and applaud the beef and greens.

A fresh ration, usually pork, is issued about ten times, perhaps, during the year ; with these exceptions, the convicts on Norfolk Island do not get fresh meat, reserving always that to which they help themselves on divers occasions. This sort of appropriation would seem to be by no means uncommon, for on reference to a commissariat memo, I find that during the first quarter in 1846, there were illegally killed one head of horned cattle, seventy-four sheep, and three pigs. At one time, this irregularity was very prevalent, and led to crimes of a still more serious nature. Previous to an arrival, a constable had detected two prisoners with a portion of a sheep, recently killed ; having shouldered the mutton, he desired the culprits to accompany him ; on the road, the devil tempted these miscreants to treat the constable as they had already served the sheep ; his body was found lifeless and mutilated in a thicket not far from the settlement. Two men were tried for the murder at the next Criminal Commission Court ; the case, resting entirely upon circumstantial evidence, was one of great difficulty, but it ended in a conviction, and both parties suffered the extreme penalty of the law, protesting their innocence to the last.

To complete our survey of the prisoners' accommodation.—Adjoining the barrack is another enclosure, known as the "lumber yard." A portion of this is devoted to workshops for carpenters, coopers, twiners, and other handicraftsmen employed in the Engineer Department. In the remainder of the enclosure some miserable sheds are raised against the walls : in these the prisoners take their meals, and worse accommodation for that purpose was certainly never beheld. Tables and forms, black with age and dirt, out of repair, and insufficient in number, were scattered about without arrangement or uniformity. The sheds open to the wind and clouds of dust, the roofs not water tight, the walls and rafters black and filthy—no shelves, nor conveniences of any kind for stowing away utensils ; the floor of mud, full of holes and fissures, no facilities for cleaning or drain-

ing—a wretched, comfortless sty. In no other manner can it be fully designated. This certainly struck me as the most defective item in the interior economy; whatever may be the quantity or quality of the meals, they should be served with decency. We can conceive nothing more calculated to brutalize and foster a spirit of discontent and recklessness, than a disregard of these minor morals, the common decencies of life.

Near to the entrance to the prisoners' barrack is a police station and a military guard-room: the latter is raised, and so constructed as to command the external approach and the interior of the enclosure. On this, as on all other military parts of the Island, the utmost vigilance and the most rigid precautions are necessarily enforced.

It became at one time a practice for the inmates of the barracks, after being locked up for the night, to annoy in various ways, both by word and deed, the sentry posted on a platform in rear of the barracks. One night a sentry was pelted on his post with lemon peel and other missiles from the windows: the usual steps taken to repress irregularities were without effect. After repeated warnings that he would fire unless the offenders desisted, and being dared to do so, the sentry at length did fire, and with such effect that the ball passed through the jaw of one man and the leg of another, a result affording pretty good evidence of the close packing of the inmates, if of nothing else. Unfortunately, it proved that neither of the wounded men were the offending parties, but a salutary effect was equally produced, and the matter rested here. Nor let me not be accused of levity in thus alluding to so untoward an occurrence. The position of the military on Norfolk Island was at that time one of peculiar difficulty; owing to incapacity and defective judgment in the Civil Administration, a state of affairs had grown up which threatened the subversion of all subordination amongst the convict population, and which soon after led to a crisis, eventful of horrors at the time, but a harbinging of change, and of a more tranquil future.

The prisoners on Norfolk Island are formed in four divisions, whereof two are at the Settlement, and one each at the remaining stations, Longridge and Cascade. The discipline and arrangement of these are vested (under the chief civil authority) in Superintendents, Assistant Superintendents, Overseers, and Sub-Overseers. There is, in addition, a strong body of Island police. Of the four Superintendents, two were retired officers of the line, and the other two, Lieutenants on

half-pay of the Royal Navy; the Assistants were many of them retired non-commissioned officers; no objection can be raised to the classes from whence these appointments are filled. All that we have to say on the subject is, that they are anything but sinecures, and that where the duties are conscientiously performed, the salary is merely remunerative. The *free* police constitute a very small portion of the entire number; the majority of the force is selected from the most active and trustworthy of the convict body: most of the Sub-Overseers are drawn from the same source, and many of the Overseers, although perhaps free, or ticket-of-leave men, have recently emerged from the convict class. This we submit to be an error in practice, for we have reason to conclude that these men, whatever their merits, and these are often doubtful, are at the best inconvenient instruments to work with, owing to the feelings of jealousy and aversion with which they are almost universally viewed by those over whom they are placed in authority.

Such appointments are the mischievous results of a mistaken economy.

In Van Dieman's Land prisoners are frequently worked under a military guard. Soldiers so employed receive payment (one shilling per diem) for this arduous and responsible duty, which involves, likewise, the destruction of additional clothing. At Norfolk Island, the receptacle of the most desperate ruffians, the gangs are rarely placed under immediate military supervision; here again the penny-wise and pound-foolish policy prevails. Overseers are beaten and stabbed for want of protection; there is a lavish expenditure of human life, but a most penurious outlay of diurnal shillings. Facts are said to be stubborn arguments, and of these, in the shape of assaults upon Overseers, there was no lack during our short experience. Within a few months we saw seventeen individuals brought to the gallows for offences of this nature.

I think it was on the second or third Sunday after our arrival, that a messenger entered the barrack-room in which divine service was performed to the military; a note was handed to the clergyman, who did not immediately open it, as there was an evident stir outside; some impatience and excitement were manifested. The note was now opened and read; it was a requisition from the civil commandant for the aid of the military. The congregation were dismissed, and in a few minutes a subaltern's party was under arms, and proceeded to the prisoners' barracks. On the evening before, a constable had been stabbed and beaten by five men. An attempt to ap-

prehend the offenders and remove them to jail was resisted, and a determination to screen them was shown by the rest of their comrades. The bayonets of the military restored order, and enforced obedience; it would appear, however, that the spirit of resistance was only repressed by the actual presence of the troops, for combined acts of insubordination were of frequent occurrence, keeping us constantly on the *qui vive*. But a short time elapsed after the incident before mentioned, when some Overseers were again assaulted; the chief constable going to their rescue, was thrown down and jumped upon; he escaped on this occasion with four broken ribs, and recovered, only to perish miserably, a few months after, at the hands of the same miscreants. Enough has been said to show the insecurity of human life here, and to afford grounds for assuming that a small sum disbursed to the military for extra duty, as in other penal settlements, would have been well bestowed. But at Norfolk Island, where the services of the military are most valuable, and their duties most arduous, it is to be observed that the least regard is paid to their comfort and welfare. Every article of island produce sold by the Government, bears a comparatively high price; even extra fresh meat and flour are dearer than in Van Dieman's Land; vegetables are not procurable by the soldiers, except such as they may cultivate themselves, and their military duties will not admit of their doing this without inconvenience. Milk and butter used formerly to be supplied gratuitously, but this boon has been withdrawn. The number of convict servants allowed to officers for out door work has been reduced to one, and having already alluded to the scanty barrack accommodation, the want of a school, library, or even a suitable place for divine worship, it must be conceded that the military here are placed on the most disadvantageous footing. Assuredly one of the greatest sources of discomfort to the free residents on Norfolk Island, is the uncertainty and irregularity of the communication with Van Dieman's Land. We have understood from the older residents that whilst the island was a dependency of Sydney, the Government vessel might be calculated on with tolerable certainty. At any rate, there was a regularity in the despatch, and the only delay originated in the chances of wind and weather; but during our residence we have known a period of six months to elapse with only two arrivals from Hobart Town. Setting aside the privation of all correspondence, an evil of no inconsiderable magnitude in the present day, we incurred the more serious in-

convenience of impending famine, running short of all such supplies and provisions as the island cannot furnish, and in this is included everything beyond the bare ration.

The garrison was more than once without sugar, not even a particle for the sick in hospital. At one time the spirits ran short, the men were put on half allowance, and it was only on the day that the last gallon was issued, that a vessel arrived with a fresh supply. Again, on another occasion, all the wheat and flour in store proved to be damaged and musty, so that for some weeks we were existing on food of a most unpalatable and unwholesome nature.

This was not a state of things tending to render men contented in a position where all else was intolerable, and where the excitements of honorable ambition, with the prospect of reaping honors and promotion, were wanting to brace the energies and sustain the spirits.

Policy, if not justice, might in such a case dictate the necessity of carefully providing at least for the physical comfort of men, nor are the above remarks applicable solely to the matter of eating and drinking. By neglect in the despatch of vessels, the clothing both for the convicts and the garrison has been delayed long after the time of issue, and in the case of the military, shirts and shoe-leather became commodities which no wealth could purchase.

From the above facts, coupled with the inevitable loss and waste upon the periodical supplies of stores laid in from Van Dieman's Land, the expense of insurance, &c., thereby enhancing the price of everything, we are justified in urging that an island allowance should have been, and must eventually be, granted to both men and officers of the garrison of this island.

I cannot but smile on recording, that prior to embarking for Norfolk Island, and then a stranger in the colony, a high authority in Van Dieman's Land, who might have been better informed, after condoling with me on my evil fortune in being doomed to such unenviable service, wound up with this morsel of consolation, that at any rate it would prove an economical quarter, since local circumstances rendered it impossible to spend any money. I hope that I have sufficiently exposed this fallacy; still, as we have heard of a solitary exception, which might be quoted in disproof of the argument in favor of the grant of an island allowance, we feel bound in conscience to record it.

There is, then, a tradition on Norfolk island, of some subaltern, who, during a residence of two years, saved one hundred pounds out of his pay! Though this was stated to us in



sober seriousness, we tremble whilst we record the fact, lest some of the Williamises and Joe Humes of the House should make it the groundwork for a proposition to reduce by one half the pay of officers at Norfolk Island. But to proceed: this history, which borders upon romance, does not stop here, but goes on to record that this exemplary disciple of economy remitted the amount so saved to his respected parent or "Governor," to adopt the phraseology of the day. We have heard pretty often of "Governors" being bled to the tune of four or five-hundred per annum, to pay for champagne and cigars, breast-pins and bull-dogs, pastry-cooks and livery stable keeper's bills, but this event of making a remittance to such a quarter, we would humbly submit to be unique and unprecedented, and to argue a degree of self denial, and an originality of conception which entitles the performer to a distinguished place in the annals of military finance. Perhaps, after all, the young gentleman was a bit of a wag, and intended this feat as one of those practical jokes for which the age is so remarkable. Whatever his motive, we can only say that he has shown himself worthy of a niche in the museum of the United Service Institution. We should, however, reserve him for more useful purposes, and should we ever meet with him, shall surely pounce upon him, and send him to the Horse Guards, there to be exhibited in a glass case, as a model for the officers of the British army, a sealed pattern for subalterns.

The apparently defective means of transport and communication at the disposal of the government of Van Dieman's Land, induce me to revert for a moment to the subject, for the purpose of pointing out that it can only be effectually remedied by the establishment of steam communication. None of the Australian governments have any steam power at command, nor is this deficiency supplied or mitigated by private speculation, or commercial enterprise. In Van Dieman's Land, the colonial marine consists, we believe, in three small craft, which, to judge from results, are inadequate for the service of Norfolk Island alone. Steam navigation is truly in its infancy in this part of the world, and a puny and sickly infancy it is. New South Wales, after half a century of commercial progression, can still boast of only a few small steamers, for coasting and river service; whilst the existence of only one steam-boat of inferior capacity, plying between Sidney and Van Dieman's Land, is sufficiently indicative of the want of capital and commercial enterprise in the Australian Colonies. It rests not, however, with the community at large, but with the government,

to guard against an evil which endangers the health and safety of the residents, both bond and free, on a penal settlement, endangered, by the precarious and uncertain voyages of sailing vessels. Nor is this a contingency of recent date, or without precedent.

A writer on Van Dieman's Land, some four years ago, in describing a visit to Macquarie Harbor, on the west coast of Tasmania, formerly the colonial penal settlement, speaks strongly of the inconvenience and danger arising from the defective system we have deprecated. We learn from him,\* "Macquarie Harbor is a post as difficult of egress as of access, and from the self-same cause, the prevalence of westerly winds. When occupied as a penal settlement, the inhabitants were frequently in a state of extremity, nearly bordering on starvation, the vessels of the colonial marine having repeatedly been wholly unable to round South West Cape, and forced to bear up before the fury of the gale. A passage of two months' duration has more than once occurred; and there have been instances of whale-boats having crawled along the coast, in the hope of expediting relief.

This difficulty of transit, and the time inevitably consumed, rendered inspection by the chief authority next to an impossibility, and no doubt tended materially to the abandonment of the place; but neither westerly winds, shoals nor bars, are sufficient reasons for such a step, seeing that, in this age of steam, the run from Hobart Town and back might easily be accomplished once a week, and with ample time to load and unload. A couple of powerful steamers of three hundred tons, drawing from seven to eight feet of water, placed at the governor's disposal, would render the most invaluable aid in the furtherance of government measures, an aid of the most profitable and beneficial description, saving a large expenditure and a vast amount of time, of necessity most wastefully consumed by sailing vessels in the transport of convicts, stores, supplies, &c., &c.

If steam communication were desirable in the case of Macquarie Harbor, it is doubly necessary for the isolated settlement of Norfolk Island. With a population of desperate characters, guarded by a scanty military force, without the means of making known their wants under any emergency, it is highly injudicious to allow more than eight weeks to elapse without communication. That period should be the maximum.

On the score of economy, the present system of transporting troops and stores in the

\* U. S. Mag. No. 178, Sept., 1843.

Australian Colonies is not to be advocated. The outlay incurred during the early operations in New Zealand may aim to be regarded as a contingency, beyond the ordinary estimates of expenditure; but leaving these aside, we may instance some of the current and ordinary items which have fallen under our notice.

For the relief of the garrison of Norfolk Island, and the conveyance of the relieved detachment to New Zealand, involving a service of two months, two small trading schooners, very ill-calculated for the purpose, were chartered at £1300 for the trip—for freight only. Contrast this with the contract price for conveying troops from London to the East Indies, which may be taken at £9 10s. per head, including both freight and *victualling* for a four months' voyage. Again, a merchant vessel is chartered for two trips, to carry convicts between Norfolk Island and Tasman's Peninsula at £800 for each trip, an engagement which might occupy altogether about twelve weeks. In another instance, a vessel is taken up to transport troops between different

stations in this command, and eventually to proceed to India, at the rate of £1200 per month. Without reference to the rate, the system of hiring vessels by the month is manifestly expensive and objectionable, as offering a premium upon dilatoriness.

It may be observed here, that when moving troops across Van Dieman's Land, as between Hobart Town and Launceston, the northern capital, a distance of one hundred and twenty miles, the intermediate stages are mere villages of such limited capacity for billeting soldiers, that a detachment of fifty men is marched on two or three divisions on successive days. Thus large bodies are sent by water, and tonnage must be provided at rates of which we have already furnished a sample. It would be scrupulous to dilate further upon the insufficiency of the Colonial Marine, or on the advantage of placing suitable steam power at the disposal of the local government. The vessels only are wanted; fuel can be abundantly supplied by the Colony.—*United Service Magazine*.

### THE ARCTIC EXPEDITIONS.

Of the numerous exploring expeditions which have left the British shores, from the days of Cook to the present time, few, if any, have excited so much interest as that now shrouded from our view by the icy curtain which clings for the greater part of the year around the North Pole.

Behind that curtain, Sir John Franklin, and the gallant party under his command, disappeared on the 26th July, 1845; since which period no authentic intelligence of them has been received, nor indeed any account at all beyond the rumors of boats, filled with white people, having been seen by Esquimaux in the summer of 1846, to the east of the mouth of the Mackenzie river.

Availing ourselves of the official documents relating to the Arctic expeditions, which have recently been published by the Admiralty, and of information derived from authentic sources, we purpose in this article to notice in the first instance the expedition under Sir John Franklin, and secondly, those lately despatched to his relief, with the view of bringing succinctly and clearly before our readers the machinery, if we may so express ourselves, now at work in the Polar seas, for the purpose of exploring and making discoveries.

The existence of a North-West Passage has been a favorite dream for centuries. The hope of discovering a shorter passage to India—the original pursuit of Columbus himself—may be regarded as the first incitement to the attempts to navigate westward of the north of America; and we find sovereigns and merchants, time after time, bestowing their patronage and money on attempts to pass from the Atlantic to the Pacific. In 1585, the merchants of London being, they say, "satisfied of the likelihood of the discovery of the North-west Passage," sent out an expedition with this object in view; and, although the ships returned unsuccessful, other expeditions followed in rapid succession.

It would be impossible to find a stronger example of the undaunted courage, moral as well as physical, which animates British seamen, than is presented to us by these Polar expeditions. Here, indeed, is one of their chief glories; for it is evident that the fearful rigors of winters spent in the regions of thick-ribbed ice, are unable to quench that intellectual fire which has animated, from the first, the leaders and participators in our Arctic and Antarctic voyages.

In December, 1844, Sir John Barrow,

then one of the secretaries to the Admiralty, submitted a proposition to the council of the Royal Society, for the discovery of the North-west Passage, in which he strongly urged the equipment of an expedition which should endeavor to pass from Melville Island to Behring's Strait, a distance of about nine hundred miles, keeping midway between the supposed Bank's Land and the coast of America. Sir John Barrow conceived that, although Parry saw from Melville Island something that looked like the looming of land to the southward, which is marked on the Polar chart as Bank's Land, yet, even were it so, it would not in any way interfere with the direct track between Behring's Strait and Cape Walker (the last land on the south of Barrow's strait, which leads to Melville Island); and the ground on which he assumed that in this track no land intervenes, is, that the whole north coast of America has been traversed by various persons by land, and in boats by water; that nothing like land could be discovered from the high coast between the meridians of Cape Walker and Behring's Strait; and that little or no ice was observable.

Sir John Barrow adds:—

"The Utilitarians were at all times ready enough to ask, *Qui bono?* but Elizabeth and her ministers, with their enlightened minds, sought for 'knowledge,' the result of which they needed not to be told was 'power.' Observe what followed; the knowledge gained by the Arctic voyagers was not thrown away. Sir Humphry Gilbert, by his grant of the Island of Newfoundland, made his voyage thither, in which he nobly perished, but his knowledge did not perish with him; on the contrary, it laid the foundation of the valuable cod-fishery, which still exists. Davis, by the discovery of the strait that bears his name, opened the way to the whale-fishery, still carried on; and Frobisher pointed out the strait which conducted Hudson to the bay that bears his name, and which gave rise to the establishment of a company of merchants under the name of the Hudson's Bay Company, whose concerns are of that extensive nature as to be carried on across the whole continent of America, and to the very shores of the Polar Sea.

"Lastly, the discovery of Baffin, which pointed out, among others, the great opening of Lancaster Sound on the eastern coast of that bay which bears his name, has in our time been found to lead into the Polar Sea, through which the North-west Passage from the Atlantic to the Pacific will one day be accomplished, and for the execution of which we

are now contending; and which, if left to be performed by some other power, England, by her neglect of it, after having opened the east and west doors, would be laughed at by all the world for having hesitated to pass the thresholds.

"It should not be overlooked that there are in the Pacific, at this moment, two fleets of the only two naval powers likely to undertake the enterprise in question; it is extremely probable some of their ships will make trial of this nearest passage home when they leave the Pacific station.

"If expense be the only objection, it may be met by observing that one season only would suffice for its decision, and the cost not more than one-third of that of the late Antarctic expedition under Sir James Ross, while one of the objects would be precisely the same as that of the other, namely, observations on terrestrial magnetism,—considered of such importance, that magnetic observatories have been established, through the influence of England, in almost every other part of the globe."

Sir John Barrow further stated, that the ships *Erebus* and *Terror*, which had recently returned from the Antarctic expedition under Sir James Ross, were in such good order as to be ready to be made available for immediate employment in the Arctic seas, and that there was no want of officers well used to the ice, who were ready and willing to embark on an expedition for completing the North-west Passage.

It was understood that Sir John Barrow's proposition had been approved by Lord Had-dington, then First Lord of the Admiralty, and the other lords commissioners; and the reader will be prepared to hear that the council of the Royal Society gave their support to the proposed expedition, not only as likely to increase geographical knowledge, but as a help to the progress of the science of terrestrial magnetism, which they have for many years been most zealous in advancing.

Accordingly, Government resolved on making one more attempt to solve the problem of a North-west Passage; and in the early part of 1845 it became known that the intrepid, and we may add, veteran Sir John Franklin, who had but recently returned from an arduous and anxious service at the Antipodes, as Governor of Van Diemen's Land, had been nominated by the Admiralty to command an expedition for the above object. Little time elapsed before the ships were ready for sailing. They were the *Erebus* and the *Terror*, commanded, officered, and manned as follows:—



*The Erebus.*

Sir John Franklin, *Captain*.  
 James Fitzjames, *Commander*.  
 Graham Gore, }  
 Henry T. D. Le Vesconte, } *Lieuts.*  
 James William Fairholme, }  
 Charles F. Des Vaux, }  
 Robert O. Sargent, } *Mates.*  
 E. Couch, }  
 H. F. Collins, *Second Master*.  
 Stephen S. Stanley, *Surgeon*.  
 H. D. Goodsir, *Assistant Surgeon*.  
 James Read, *Ice Master*.  
 12 Warrant and Petty-officers.  
 58 Seamen and Marines.

—  
 70 Total

*The Terror.*

Francis Rawdon M. Crozier, *Captain*.  
 Edward Little, }  
 G. H. Hodgson, } *Lieutenants*.  
 John Irving, }  
 Frederick Hornby, } *Mates*.  
 Robert Thomas, }  
 Thomas Blanky, *Ice Master*.  
 G. A. Maclean, *Second Master*.  
 J. S. Peddie, *Surgeon*.  
 Alexander M'Donald, *Assist. Surgeon*.  
 J. H. Helpman, *Clerk in Charge*.  
 11 Warrant and Petty-officers.  
 57 Seamen and Marines.

—  
 68 Total

The fitting up of the above vessels differed in one respect from that of all ships previously sent out on Arctic expeditions. This consisted in their being furnished with a small steam-engine and archimedian screw. But in the experimental trip made by the *Erebus*, to test the power of the screw, the utmost speed which could be attained scarcely amounted to three knots an hour, although every means, as we ourselves can attest, were taken to increase this rate. The ships were supplied with fuel for twelve days—a quantity manifestly insufficient for their probable wants, but still as much as they could afford to stow away, having to carry provisions for three years. When the very small speed producible by the steam-power is considered, coupled with the great inconvenience likely to result from the most valuable part of the ship being occupied by the boiler and machinery, not to mention the great probability of the screw being nipped by the ice, we shall be quite prepared to hear that this part of the equipment has turned out a failure, and that the steam machinery has been thrown overboard, as happened in the case of the *Vic-*

*tory*, commanded by Sir John Ross, in his expedition undertaken in 1818.

It is scarcely necessary to state, that the ships were provided with the most improved magnetical and meteorological instruments, and with everything which the experience of repeated Arctic expeditions could suggest.

On the 26th May, 1845, the expedition departed.

We shall now give a *résumé* of Sir John Franklin's official instructions.

They set forth, in the first instance, the expediency of making another attempt for the accomplishment of a North-west Passage, and then direct Sir John Franklin to proceed with the greatest possible despatch to Davis' Strait, taking the transport as far up that Strait as he can, without allowing her to be beset by ice, or exposed to any violent contact with it. The transport is then to be cleared of the provisions and stores with which she is charged for the use of the expedition, and to be sent back to England. Sir John Franklin is next ordered to proceed into Baffin's Bay, and to enter Lancaster Sound with as little delay as possible.

Lancaster Sound, and its continuation through Barrow's Strait, having been four times navigated without any impediment by Sir Edward Parry, and since frequently by whaling ships, will probably be found without any impediment from ice or island; and Sir Edward Parry having also proceeded from the latter in a straight course to Melville Island, and returned without experiencing any, or very little, difficulty, it is hoped that the remaining portion of the passage, about nine hundred miles, to Behring's Strait, may also be found equally free from obstruction; and in proceeding to the westward, therefore, you will not stop to examine any openings either to the northward or southward in that Strait, but continue to push to the westward without loss of time, in the latitude of about  $74^{\circ}14'$ , till you have reached the longitude of that portion of land on which Cape Walker is situated, or about  $98^{\circ}$  west. From that point we desire that every effort be used to endeavor to penetrate to the southward and westward, in a course as direct towards Behring's Strait as the position and extent of the ice, or the existence of land, at present unknown, may admit.

We direct you to this particular part of the Polar Sea as affording the best prospect of accomplishing the passage to the Pacific, in consequence of the unusual magnitude and apparently fixed state of the barrier of ice observed by the *Hecla* and *Griper*, in the year 1820, off Cape Dundas, the south-western extremity of Melville Island; and we, therefore, consider that loss of time would be incurred in renewing the

attempt in that direction : but should your progress in the direction before ordered be arrested by ice of a permanent appearance, and that, when passing the mouth of the Strait between Devon and Cornwallis Islands, you had observed that it was open and clear of ice ; we desire that you will duly consider, with reference to the time already consumed, as well as to the symptoms of a late or early close of the season, whether that channel might not offer a more practicable outlet from the Archipelago, and a more ready access to the open sea, where there would be neither islands nor banks to arrest and fix the floating masses of ice. And if you should have advanced too far to the south-westward to render it expedient to adopt this new course before the end of the present season, and if, therefore, you should have determined to winter in that neighborhood, it will be a matter for your mature deliberation whether in the ensuing season you would proceed by the above-mentioned Strait, or whether you would persevere to the south-westward, according to the former directions.

In case of Sir John Franklin being so fortunate as to make the passage, he is ordered to proceed to the Sandwich Islands, to refit the ships and refresh the crews ; and, should opportunity offer, an officer is to be sent with despatches to England by Panama : but in the event of no such opportunity offering during his stay at the Sandwich Islands, he is, on quitting them, to proceed with the two ships to Panama, there to land an officer with despatches for England ; after which, no time is to be lost in returning to England by way of Cape Horn.

Considerable discretionary power is, however, given, as will be seen by the following extract from the instructions :—

“In an undertaking of this description, much must always be left to the discretion of the commanding-officer ; and as the objects of this expedition have been fully explained to you, and you have already had much experience on service of this nature, we are convinced we cannot do better than leave it to your judgment, in the event of your not making a passage this season, either to winter on the coast, with the view of following up next season any hopes or expectations which your observations this year may lead you to entertain, or to return to England to report to us the result of such observations, always recollecting our anxiety for the health, comfort, and safety of yourself, your officers, and men ; and you will duly weigh how far the advantage of starting next season from an advanced position may be counterbalanced by what may be suffered dur-

ing the winter, and by the want of such refreshment and refitting as would be afforded by your return to England.”

Although effecting a passage from the Atlantic to the Pacific is distinctly stated to be the main object of the expedition, yet, ascertaining the true geographical position of capes, coasts, &c., the set of the currents in the Arctic seas, and the collection of specimens in the animal, vegetable, and mineral kingdoms, are specified as objects of high interest and importance.

For the purpose of ascertaining the set of the currents, as well as of affording more frequent chances of hearing of the progress of the expedition, Sir John Franklin is directed after passing the latitude of 65° north, to—once every day, when in an ascertained current—throw overboard a bottle or copper cylinder, closely sealed, containing a paper stating the date and position at which it is launched ; and for this purpose each ship was supplied with papers, on which was printed in several languages a request that, whoever should find it, would take measures for transmitting it to the Admiralty.

In the case of an irreparable accident happening to either of the two ships, the officers and crew of the disabled ship are to be removed into the other ; and with her, singly, Sir John Franklin is authorized to proceed in prosecution of the voyage. In case of any fatal accident happening to the latter, the command is given to Captain Crozier, who is to act upon the instructions to the best of his ability.

It will be seen by the foregoing, that great latitude is given to Sir John Franklin, both as to the means he may employ to accomplish the great object of the expedition, and the time which he may devote to the task. It is well known by his relatives and friends, who conversed with him on the subject immediately before he sailed, that he did not calculate that the passage could be effected in one season. Writing to Col. Sabine from Whalefish Islands, under the date of July 9, 1845, he says :—

“I hope my dear wife and daughter will not be over anxious if we should not return by the time they have fixed upon ; and I must beg of you to give them the benefit of your advice and experience when that arrives, for you know well, that even after the second winter, without success in our object, we should wish to try some other channel if the state of our provisions and the health of the crews justify it.”

As we have stated, the last accounts received of the expedition bore the date of July 26, 1845, when Captain Dannett, of the *Prince*

of Wales whaler, fell in with the discovery ships in Melville Bay, in  $74^{\circ} 48'$  N. lat. and  $66^{\circ} 13'$  W. long. A boat, with seven officers, boarded the whaler; and Captain Dannett was to have dined on board Sir John Franklin's ship the following day, but the wind favoring him he sailed during the night, and was, therefore, unable to be the bearer of letters which would otherwise have been sent by him. Captain Dannett states that the officers whom he saw, but of whose names (with the exception of Captain Fitzjames) he is ignorant, were all well and in high spirits. He represents the ice as being at the time very heavy, but loose; the officers, he adds, expressed good hopes of soon completing the expedition.

No intelligence whatever was gleaned of the *Erebus* and *Terror* during the summer of 1846. That summer is reported by the whale-ships to have been unusually severe. The thermometer was above freezing-point only twenty days, and the north ice remained unbroken. None of the whalers appear to have approached Lancaster Sound during this season.

The summer of 1847 was equally barren of information, although, as will be seen by the annexed letter from the captain of a whaler, a much higher latitude was reached than during the previous year:—

“*Aberdeen, 17th November, 1847.*

“Sir, — in answer to your questions I respectfully beg to state, the *Saint Andrew* crossed Baffin's Bay from Cape York in lat.  $76^{\circ}$ , long.  $67^{\circ}$ , to Pond's Bay, our usual fishing ground, in lat.  $72^{\circ} 45'$ , long.  $76^{\circ}$ , July 23d. The whales having disappeared, I determined to proceed to Lancaster Sound, both with a view to the capture of whales and in search of her majesty's ships. I contended for a week against an adverse wind and a strong swell down the Sound: we attained no higher longitude than  $78^{\circ}$ , August 5th; no appearance of ice in the Sound, and none but detached streams within 100 miles of it to the east. In consequence of a very mild winter, there will be very little ice left in Davis' Strait this season; the last two winters were the mildest the Danes have experienced for a great number of years at their settlement of Oopernavick, in lat.  $72^{\circ} 45'$  N., long.  $56^{\circ}$ . The *Saint Andrew* re-crossed the Strait in lat.  $72^{\circ} 15'$ , in August; not more than 40 miles of ice, and very light. In lat.  $70^{\circ}$  N. fell in with very heavy ice, which continued so to lat.  $64^{\circ} 55'$ ; that ice must have come out of Barrow's Strait the previous season.

“Being a little acquainted with the Esquimaux language, I made every inquiry of the various tribes I met at Pond's Bay, but could

procure no information respecting Sir John Franklin, who, I think, must have attained a very high longitude. The *Saint Andrew* left Cumberland Strait, off Baffin, on the 15th of October, where we had been at anchor for six weeks. No other ships attained a higher longitude this season in Sound.

Yours. &c.

(Signed) WM. PENNY.”

John Barrow, Esq.

It is worthy of notice that, although the above letter speaks of a quantity of ice as having come out of Barrow's Strait during the previous season, there was no trace or any vestige of the expedition, which might be expected when we are told of a current setting from the west, and remember that Sir John Franklin's instructions were to throw a Lottle or copper cylinder, containing a paper stating his position, overboard *daily* after passing the latitude of  $65^{\circ}$  north. A striking instance of the direction of the current to the south and east from Barrow's Strait has been recently afforded us by the *Prince of Wales* whaler having picked up, on the 2d of October last, in latitude  $68^{\circ} 10'$  N. and longitude  $64^{\circ} 30'$  W., a cask containing a paper, which was thrown from the *Investigator* on the 28th of August, 1848, in latitude  $73^{\circ} 50'$  N., and longitude  $78^{\circ} 6'$  W. This cask was, therefore, drifted  $5^{\circ} 40'$  southward, and  $14^{\circ} 36'$  eastward.

The captain of the *Lady Jane* whaler attained the latitude of  $76^{\circ}$ , and the longitude of  $80^{\circ}$ . He represents the ice during the whole of the fishing-season in 1847 as being unusually thick and heavy, and adds, —

“In places where it has been generally found six feet thick, this year it was ten feet; and this the natives accounted for to me by the wind having prevailed so much from the south-east all the winter, which pressed the ice upon the west land. My ship was the only one in Sir James Lancaster's Sound as far as Navy Board Inlet; and in the middle of that Sound there was nothing to be seen to the westward but a few pieces of small ice. I was most anxious to obtain some information about her majesty's ships, and endeavored to effect a landing on both sides of the Sound; but the ice was so heavy and packed on the coast that travelling was quite impossible.”

So closed the year 1847, and the public began to feel like the king and princes who watched the third disappearance of Schiller's diver; for three years had nearly elapsed without receiving any intelligence of the expedition.

It should be observed, too, that the Hudson's Bay Company, with their usual energy,



instructed their officers to give intimation to the natives to be on the look-out for the expedition, which would, in all probability, endeavor to approach the shore near the Mackenzie or Coppermine River, with the view of landing despatches; and to convey to the nearest establishment any papers or letters that might be intrusted to their charge, for which they would be liberally rewarded. Further directions were given to take every possible measure for the protection and maintenance of the party in the event of their landing.

The offer held out by the Hudson's Bay Company, of a reward to the natives, may, in some degree, account for the rumor which was so recently circulated of their having seen two boats filled with white people to the east of the Mackenzie, in the fall of 1846. This appears to be Sir John Richardson's opinion, for he says in his letter to the Admiralty, — "I place no confidence in the rumors, but merely consider that they have originated in the queries of the traders, and the desire of the Indians to excite the curiosity of the questioner, in the hope that they may obtain something thereby."

Before the close of the year 1847 — indeed, in the early part of it — several conferences were held by the most experienced Arctic voyagers respecting the best mode of succoring Sir John Franklin. As early as September 1846, Sir John Ross, to his credit be it recorded, addressed a letter to the Admiralty, volunteering to head an expedition in search of Sir John Franklin in 1847. To this the Admiralty replied by stating, that whilst they appreciated the gallant and humane intentions of the writer, it was not intended immediately to despatch any relief expedition. The Admiralty, however, lost no time in collecting the best practical opinions as to the measures to be adopted for obtaining tidings of, or rendering assistance to, the missing ships. It may be proper here to state, that it was the firm determination of Sir John Franklin not to abandon the enterprise until he had exhausted all the channels leading to, or supposed to lead to, the sea west of Melville Island. We have often heard him thus express himself; and Sir John Richardson, who may be regarded as one of Sir John Franklin's warmest friends, confirms this. He says: —

"I had many conversation with Franklin up to the eve of his departure, respecting his future proceedings. His plans were, to shape his course, in the first instance, for the neighborhood of Cape Walker, and to push to the westward in that parallel; or, if that could not be accomplished, to make his way southwards,

to the channel discovered on the north coast of the continent, and so on, to Behring's Strait; failing success in that quarter, he meant to retrace his course to Wellington Sound, and attempt a passage northwards of Parry's Islands; and, if foiled there also, to descend Regent's Inlet, and seek the passage along the coast discovered by Messrs. Dease and Simpson."

Colonel Sabine, who, though a landsman, has bestowed much attention on the fascinating subject of a North-west Passage, and whose opinion is entitled to great consideration, has long conceived that the most probable passage lies through Wellington Channel. He says: — "The east and west sides of Wellington Channel should be especially searched for notices, which may not improbably have been deposited there; and one of the ports in the vicinity might be made one of the temporary stations for the depot ship."

Thus, it is evident that a large tract of Arctic sea must be swept, and many hundreds of miles of coast examined, before the search for Sir John Franklin should be abandoned as hopeless.

Let us turn now to an examination of the measures which have been taken to find the ice-locked *Erebus* and *Terror*.

It was determined that three expeditions should be equipped: one, consisting of two ships, to follow in the track of the *Erebus* and *Terror* as far as Lancaster Sound, and then to commence searching; one, also consisting of two ships, to be sent to Behring's Strait; and the third, consisting of a boat-party, to descend the Mackenzie and search the American coast, eastward of that river, leaving the coast to the west to be explored by boats belonging to the ships despatched from Behring's Strait.

The command of the first expedition was given to Sir James Ross, who volunteered his services; that of the second to Commander Moore; and the third to Sir John Richardson, who, although but recently married, holding a lucrative Government appointment, and no longer in the enjoyment of youth, had, in the noblest manner, utterly regardless of the fearful privations which attach to an Arctic land and sea expedition, and with which former expeditions of a similar nature have made him familiar, volunteered his services.

Availing ourselves of the official instructions to these officers, we hope to be enabled to give our readers a correct idea of the plans which it is proposed to adopt. First, with regard to the expedition under Sir James Ross. This consists of two ships, the *Enterprise* and *Investigator*, of four hundred and seventy, and four hundred and twenty tons

respectively. They were built expressly for this expedition, and are in every way calculated for Arctic navigation. Each ship, at the suggestion of Sir James Ross, is provided with a launch fitted with a steam-engine and screw, of sufficient power to propel them at the rate of about five knots an hour. The ships carry ninety tons of coal, and provisions for three years. Sir James Ross is directed, in the first instance, to proceed without delay to Lancaster Sound. In passing through that inlet to the westward, he is to carefully search both its shores, as well as those of Barrow's Strait, for any notices that may have been deposited there, and for any casual indications of their having been visited by either of Sir John Franklin's ships. Should the season be sufficiently open, a similar examination is to be made at one of the shores of Wellington Channel. The several intervals of coast that appear in our charts to lie between Capes Clarence and Walker are next to be carefully explored; and, by means of the steam-launches and ships' boats, it is confidently expected that all this will be completed during the present season (1848). It is recommended that the Investigator should be secured for the winter in a fit and safe port near Cape Rennell, from which position a considerable extent of coast may be explored on foot; and in the spring of 1849, detached parties may be sent across the ice to look thoroughly into the creeks along the western coast of Boothia, as far as Cape Nicolai, while another party is to proceed to the southward, and ascertain whether the blank space shown there in our charts consists of an open sea, through which Sir John Franklin may have passed, or, on the contrary, of a continuous chain of islands, among which he may still be blocked up. As soon as the returning summer shall have opened a passage between the land and the main body of the ice, the Investigator is to detach her steam-launch to Lancaster Sound, in order to meet the whale ships which usually visit the western side of Baffin's Bay about that time, and by which further instructions and communications will be sent out.

The enterprise is directed to press forward to the westward, and endeavor to reach Winter Harbor in Melville Island, or Banks' Land. From this western station active parties are to be despatched, to make short and useful excursions before the season closes, and still more effective ones in the ensuing spring. One party is then to pursue the coast in whatever direction it may seem likely to have been followed by Sir John Franklin; and thus determine the general shape of the western face of Banks' Land. It is then to proceed direct to

Cape Bathurst, or Cape Parry, on the main land; at each of which places Sir John Richardson is directed to have provisions for its use; that party will then advance to Fort Good Hope, where they will find directions for continuing their progress up the Mackenzie River, so as to return to England by the usual route of traders.

Another party is to explore the eastern coast of Banks' Land, and from thence make at once for Cape Krusenstern, where, or at Cape Hearne, a caché of pemmican will be placed for Sir John Richardson. The party are to communicate with the latter, and, placing themselves under his orders, are to assist him in examining the shores of Victoria and Wollaston's Islands, and finally return with him to England by whatever route he may deem advisable.

The Admiralty desire the foregoing instructions to be regarded as the general outline only of their desires, leaving Sir James Ross free to institute any other plans which local circumstances may render necessary or desirable; and they add,—“If Providence should not be pleased to crown your efforts with success, we leave it to your own judgment when, and from whence, to return to England, as soon as you are convinced that every means within your reach have been exhausted.”

We have only to add with respect to this expedition, that the *Enterprise* and *Investigator* sailed on the 12th May, 1848, and reached Opernavik, in latitude 72° 40' N. and longitude 56° W., on the 13th July. Sir James Ross, writing from thence, says:—

“That the natives informed him the winter had been unusually severe, and that they had all suffered greatly from hunger. (He adds :) The appearances of the sea and sky since we have left Whale Islands induce me to believe that the present season will not prove unfavorable to navigation, although a strong blink in the sky to the westward proves that the main pack is not far distant in that direction, so that we shall be obliged to go to the northward to round the north end of it, before we can stretch across to Lancaster Sound. . . . Last night a strong gale came on from the southward, and has this morning brought so heavy a sea into the harbor, that I think we shall be obliged to get off to sea as soon as we can. The whalers' accounts are not so favorable as I expected; but they have given up the attempt to cross to the west land at a very early period of the season. The strong southerly gale will have produced a very beneficial effect on the ice to the northward, and I have no doubt of being able to get along famously.

Later accounts show that Sir James Ross was in latitude  $73^{\circ} 50'$  N., and longitude  $78^{\circ} 6' 30''$  W., on the 28th of August, at which period all the officers and crew were well.

We pass now to the expedition despatched to Behring's Strait. This consists of the ships *Plover* and *Herald*. The former is commanded by Commander Moore, and is fitted for Arctic navigation. The instructions order the *Plover* to proceed to Panama, where she will be met by the *Herald*, commanded by Captain Kellett; the latter is then to take on board such provisions and stores as will be required for the service; and the two ships are to proceed to Petropaulowski and Sitka, for the purpose of procuring interpreters and a supply of meat.

They are then to push on to Behring's Strait, and should arrive there about the 1st of July, and proceed along the American coast as far as is consistent with the certainty of preventing the ships being beset by the ice. Four whale-boats are then to be despatched along the coast, to look for a harbor in which to receive the *Plover* for the winter; and when a suitable place is found, two of the boats are to conduct the *Plover* to her winter quarters, and the other two to proceed along the coast in search of the voyagers, and to communicate, if possible, with the party which it is intended shall descend the Mackenzie River under the command of Sir John Richardson. As soon as symptoms of winter appear, the boats are to return to the *Plover*, which ship being fitted with fuel and provisions and stores from the *Herald*, will house in and make all snug for the winter. The *Herald* is then to return to the south, to give intelligence of the spot where she left the *Plover*. Extensive excursions are to be made early in the spring by small parties from the *Plover*, in every possible and practicable direction, from the winter station; but as soon as the water has formed along the coast, boat expeditions are to be despatched towards the Mackenzie River, again to communicate, if possible, with Sir John Richardson's party. When the month of July, 1849, arrives, the *Herald* will again proceed to communicate with the *Plover*; and the Captain of the *Herald* will be guided by his own discretion and judgment, the information he may receive, and other existing circumstances, in re-equipping the *Plover* for passing a second winter on that part of the coast, and for continuing her in the search for Sir John Franklin.

In addition to the provisions necessary for the crew of the *Plover*, she is provided with large quantities of preserved meats for the use of the party under Sir John Franklin, should they be compelled to abandon their ships and

travel over the ice, or along the coast of America to Behring's Strait.

No restrictions are placed on Commander Moore with respect to time, and he is allowed to use the best means in his power to afford the desired relief to Sir John Franklin's expedition. It is important to state, that the Russian Government have undertaken to instruct the authorities at Sitka (Norfolk Sound) to give all assistance in their power to the *Plover*. Captain Beechey, who has had much experience in Arctic navigation, and who, it will be remembered, commanded the *Blossom* in the expedition sent to Behring's Strait to coöperate with Franklin, who proceeded westerly from the mouth of the Mackenzie, has supplied Commander Moore with valuable suggestions; and the Hudson's Bay Company have instructed their officers to give all the accommodation at their disposal to the boating party of the *Plover*, should they proceed as far eastward as to ascend the Mackenzie.

We have now to consider the overland expedition, under the command of Sir John Richardson, upon which great reliance is placed by competent authorities, who entertain strong hopes that it may be the agent to relieve Franklin. This expedition was suggested by Sir John Richardson as early as February, 1847. It consists of four boats built in England, thirty feet long and six feet wide, of as light materials as is consistent with the necessary strength, manned by twenty men in all, and each capable of carrying nearly three tons in addition to their complement of men. These boats with their crews left England with the Hudson's Bay ships in the summer of 1847, and made great progress on the route to the Mackenzie before the close of the season.

On the 25th of March, 1848, Sir John Richardson, accompanied by Mr. Rae, whose recent Arctic explorations will be in the recollection of our readers, left England for Halifax and New York by the mail-steamer, and lost no time in pushing on northwards. A letter received from Sir John Richardson, dated from Methway Portage, July 4, 1848, states that Mr. Rae and himself had joined the boat party on that portage. He adds, "We hope to leave this on the 7th; but the men are much fatigued, and we shall go to sea much less fresh and fit for the voyage than would have been the case had we had the help of horses in making this very laborious portage." Sir John Richardson expected to reach the mouth of the Mackenzie about the 1st of August. His further probable proceedings will be gathered from the following extracts from his instructions:—



"If you reach the sea in the first week in August, it is hoped you will be able to make the complete voyage to the Coppermine River, and also to coast a considerable part of the western and southern shores of Wollaston Land, and to ascend the Coppermine to some convenient point, where Mr. Bell and a party can be left with the provisions ready for the next year's voyage; and you will instruct him to send two hunters to the banks of the river to provide food for the party on the route to Fort Confidence, and thus spare you any further consumption of pemmican, reserved for the following summer.

"As it may happen, however, from your late arrival on the coast, or subsequent unexpected detentions, that you cannot with safety attempt to reach the Coppermine, you have our full permission in such a case to return to Fort Good Hope, on the Mackenzie, there to deposit two of the boats, with all the sea stores, and to proceed with the other two boats, and the whole of the crews, to winter quarters on Great Bear Lake.

"And you have also our permission to deviate from the line of route along the coast, should you receive accounts from the Esquimaux, which may appear credible, of the crews of the *Erebus* and *Terror*, or some part of them, being in some other direction.

"For the purpose of more widely extending your search, you are at liberty to leave Mr. Rae and a party of volunteers to winter on the coast, if by the establishment of a sufficient fishery, or by killing a number of deer or musk oxen, you may be able to lay up provisions enough for them until you can rejoin them next summer.

"Should it appear necessary to continue the search a second summer (1849), and should the boats have been housed on the Coppermine, you are to descend that river on the breaking up of the ice in June 1849, and to examine the passages between Wollaston and Banks, and Victoria Lands, so as to cross the routes of some of Sir James C. Ross' detached parties, and to return to Great Bear Lake in September 1849, and withdraw the whole party from thence to winter on Great Slave Lake, which would be as far south as you will have a prospect of travelling before the close of the river navigation."

The Admiralty extend to Sir John Richardson the same latitude in his operations as they grant to Sir James Ross and Commander Moore: they are only anxious that the search so laudibly undertaken should not be unnecessarily or hazardingly prolonged; and to guard against this, they order his search to

cease after the winter of 1849, which is to be passed on the Great Slave Lake, and that, at the earliest practical moment in the spring of 1850, he is to take steps to return to England. We need scarcely observe, that the Hudson's Bay Company are powerful auxiliaries in this expedition. By their coöperation, the boats destined for the coast navigation were carried through Northern America, under the management of Mr. Bell; and their officers have received the necessary instructions to have supplies of provisions at the winter quarters. Some idea of the quantity necessary to support active physical life in the Arctic regions will be gathered by the following extract of a letter from Sir John Richardson to the Admiralty:—

"The rations during the voyage out, which will be such as the crews of the Hudson's Bay ships receive, are to be paid for to the Company by the Admiralty, and are of excellent quality, and sufficient in quantity. During the boat voyage the rations will vary with circumstances. A quantity of excellent dried bacon, biscuit, flour, and cocoa, has been provided, to last up to the first wintering place, allowing each man to consume about 3 lbs. of solid food daily. For the first winter the diet will consist almost wholly of fish, the ordinary allowance being 10 lbs. per man daily; but when the fishery is very productive, no restriction is usually placed on the quantity consumed. When the water fowl pass in the spring, one goose or two large ducks are substituted for 10 lbs. of fish. The second winter will be passed at a post where reindeer or musk-ox meat will form a part of the rations; and of the meat, 8 lbs. is the usual daily allowance. During the summer voyages pemmican will constitute the main article of diet, and will be issued at the rate of 2 lbs. per diem for each man, which is as much as the average consumption on unlimited allowance. I calculate upon carrying seven tons of pemmican to the Mackenzie for the ulterior progress of the party.

Admiral von Wrangel, in his *Narrative of an Expedition to the Polar Sea*, dwells with great force on the vast quantity of meat eaten by his party; and this unfortunate necessity for so extraordinary a supply of food forms, undoubtedly, one of the great difficulties in Arctic expeditions, for it is manifestly a hard task to carry provisions to meet so rapid a consumption as is stated above. We must not forget to notice the offer of rewards to whale-ships, on the part of the Admiralty and Lady Franklin, for rescuing the missing ships, or bringing intelligence of them. We do so,

however, in the case of the Admiralty, with unwillingness and regret, because the offer is, we conceive, totally unworthy the cause and the British nation.

The Lords of the Admiralty offered one hundred guineas to the crew of any whale-ship that might bring accurate information of the Erebus and Terror; but apprehending, probably, that this small reward would be regarded with indifference by the captains of whalers, they state in a letter to the commissioners of customs, dated March 13, 1848, that, —

“Conceiving there might possibly be misconception on the part of masters of whalers as to their lordships’ intentions with respect to the reward to be paid for information as to the position of Captain Sir John Franklin’s ships, my lords are desirous it should distinctly be understood by the masters, and crews of the whale-ships, that a higher reward than the 100 guineas mentioned in that letter will be given to any ship bringing positive and exact information of the discovery ships, more particularly if it should appear to their lordships that every exertion had been made in order to convey the information to this country with all possible expedition and despatch.”

We cannot forget, that when the fate of the unfortunate Lilloise, French brig of war, which was sent to explore part of the coast of Greenland in 1833, was uncertain, independently of despatching an expedition in search of her, the munificent reward of £4000 was offered by the French Government, two years after her departure, to the crew of any vessel rescuing her; and a pension of 4000 francs, with the cross of the Legion of Honor, were conferred by the same Government on Captain Dillon for having discovered the fate of La Pérouse’s ship. Lady Franklin, with a munificence more in accordance with the importance of the subject, has offered the reward of £2000 in the following notice, copies of which have been sent to the captains of all the whalers:—

“With the view of inducing any of the whaling ships which resort to Davis’ Strait and Baffin’s Bay, to make efforts in search of the expedition under the command of Sir John Franklin, in those parts which are not within the scope of the expeditions about to be sent out by Government, I hereby offer one thousand pounds (£1000) to be divided as follows; to the owner, captain, officers, and crew of any ship which shall depart so far from the usual fishing grounds as to explore Prince Regent Inlet, Admiralty Inlet, Jones Sound, or Smith Sound, provided such ship, finding the above expedition in distress, shall communicate with, and afford it effectual relief:—

To the owner, two-tenths, or . . . . .	£200
” captain, one-tenth, or . . . . .	100
” chief mate one twentieth, or . . . .	50
” next two officers, one-for- tieth, or £25 each . . . }	50
The remaining six-tenths, or . . . .	600
to be divided amongst the rest of the ship’s company	

“And, further, I hereby offer an additional sum of one thousand pounds (£1000,) to be distributed in the same proportions to the owner, officers, and crew of any ship which shall, at an early period of the season, make extraordinary exertions for the above object, and, if required, bring Sir John Franklin and his party to England.

“The whole or part of this last £1000 will be granted according to the decision of Sir John Franklin, or the commanding officer of the expedition relieved. In other respects the decision of the following gentlemen, who have kindly consented to act as referees in awarding the £2000, is to be final, viz., Admiral Beaufort, Captain Sir W. Edward Parry, R. N., Thomas Ward, Esq., Hull.

(Signed) JANE FRANKLIN.”

The Admiralty may be of opinion that the extensive and costly machinery which they have organized in the form of three distinct expeditions, having for their main purpose the relief of Sir John Franklin, render it unnecessary to stimulate the captains of whalers by high rewards to go out of their course to search for the Erebus and Terror; but if this be the case, we cannot help feeling that it would have been better, under existing circumstances, to have left this subject untouched.

Although the search for Sir John Franklin forms the great purpose of the expeditions, yet in the case of those under Sir James Ross and Commander Moore, the Admiralty have supplied the vessels with instruments for making geographic, hydrographic, magnetic, and atmospheric observations. In their instructions, they say, —

“Whilst we estimate any such observations as of inferior importance to the one leading object of the expedition, you will nevertheless omit no opportunity of rendering it as contributive to scientific acquisitions as to the performance of the great duties of national humanity.”

We have now endeavored to give our readers a clear idea of the measures in operation for the relief of Sir John Franklin and the party under his command, and it must be admitted that they are of a nature worthy of the greatest maritime country in the world. It would be idle, and apart from the object of this arti-

cle, to speculate on the position and circumstances of Franklin and his party. We may, however, state, that it is the opinion of eminent Arctic voyagers, that until the autumn of 1849 no apprehensions need exist respecting the fate of the party from starvation. In a letter from Sir James Ross to Sir Edward Parry, written in the course of last year, Sir James says, alluding to Franklin and Crozier:—

"Their last letters to me from Whalefish Islands, the day previous to their departure from them, inform me that they have taken on board provisions for three years on full allowance, which they could extend to four years without any serious inconvenience; so that we may feel assured they cannot want from that cause until after the middle of July 1849; it therefore does not appear to me at all desirable to send after them until the spring of next year."

It is a remarkable fact, and one particularly cheering at this moment, that the Polar expeditions have been attended with a singularly slight loss of life. Out of nine despatched to the Arctic regions, which employed six hundred and nine officers and men, only seven persons died from causes directly or indirectly connected with the expeditions, although these were absent from England an average period of three years.

There is, probably, more danger to be apprehended from the well-known energy and zeal of the parties, than from any other cause. Franklin left our shores feeling that the eyes of the civilized world were on him, and that it was hoped and expected he would accomplish what our most learned hydrographers regard as feasible, although failure has characterized so many attempts to pass from the Atlantic to the Pacific Ocean round the North coast of America. Captain Fitzjames, in the last letter received from him, expresses a hope that he may be sent home through Siberia from Behring's Strait; and adds, "*Get through I firmly believe we shall*;" nor, as we well remember, was he the only one of the party who indulged in this expectation.

To compare great things with small, the position of Franklin and his party is much like that of an Alpine traveller who aspires to surmount some peak untrodden by the foot of man, that lifts its rocky crest from out of pathless snows and glaciers many thousands of feet above the vale. His track is eagerly and anxiously followed by aching eyes, longing to see the intrepid adventurer's flag wave on the dizzy point. He knows this, and is well aware that if he succeeds his fame will be heralded abroad. Will he abandon his enterprise as long as

strength remains? Not so; for to surmount a stupendous Alpine peak, or plant the English flag on Polar snows, are alike based on the acquisition of fame.

Fame is the spur that the clear spirit doth raise  
To scorn delights and live laborious days.

Nor will Franklin abandon the struggle with mighty icebergs and thick-ribbed ice, as long as the smallest chance of obtaining the much-desired prize remains. It is recorded, that when attempts were made to dissuade Sir Martin Frobisher from engaging the discovery of a North-west passage, he answered, "It is the only thing in the world that is left yet undone, whereby a notable mind might be made famous and fortunate."

Let us hope, however, that the effort may not be rashly prolonged. If the leaders were youths instead of veterans grown old and wise, we might almost say in the icy regions of the Polar seas, we should tremble for the fate of the long absent party, but the case is otherwise; and we are warranted, therefore, in hoping, nay, more, in excepting, that the autumn of 1849 will restore the gallant band, headed by Sir John Franklin, to their native country. The *Great Chief*, as the Indians fondly called him who was with Nelson amidst the thunders of Trafalgar,\* and withal is so gentle as not to crush a stinging fly—an act of forbearance remembered for years by the Indians,†—is too dear to Englishmen to be suffered to perish amidst frozen seas; and when we contemplate the helping and willing hands now stretched forth to relieve him, we have no fears for the result.—*Fraser's Magazine*.

We are well aware that some authors are of opinion, that the genius of the ancients was superior to that of the moderns; that things in them which we could not tolerate in the least, have been held up as the models of perfection and of imitation. We are willing to allow them great genius and great assiduity in obtaining knowledge: but we are not willing to think that the moderns are blockheads, in comparison with the Greeks or Romans.—*Academician*.

\* He was Lord Nelson's flag-midshipman during that battle.

† Sir G. Back relates that it was the custom of Sir John Franklin never to kill a fly; and though teased by them beyond expression, especially when engaged in taking observations, he would quietly desist from his work and patiently blow the half-gorged insects from his hands. This was remembered by the Indians, who, when they saw Back killing the flies by the wholesale process of smoke, exclaimed, "The great chief never destroyed so much as one single mosquito."



Translated for the Daguerreotype.

## A VISIT TO BERANGER.

During the early portion of my residence in Paris, I lived in a court of cloister-like appearance, which is formed by two rows of lofty houses. It is called the "Passage Violet." Close by, separated from us only by a projecting house, a stream of human beings was perpetually pouring along the winding "Rue du Faubourg Poissonière," but the Passage Violet was as still and as solitary as a desert island. Even the summer sun, which in Paris is so prodigal and beneficent, would not have much to do with the Passage Violet; it paid us a short half-hour's visit in the morning, about the same time as the old-clothes man, and the organ-grinder, and was then seen no more during the whole day. But that visit was a welcome one; if I was sitting at breakfast, and the first ray fell upon my book or my paper, it immediately dispelled "the blues" which had cast their shadows, reflected from the dark buildings around, over my soul. I opened the window, looked across to my old friend and neighbor Venedey, who there indited his brilliant "Correspondence" for several of the German papers, and prepared to go out. In the meanwhile the organ droned forth its melancholy tones; the old ballad-singer coughed and began with a loud voice, "Le Dieu des bons gens:"

Il est un Dieu; devant lui je m'incline,  
Pauvre et content, sans lui demander rien,  
De l'univers observant la machine,  
J'y vois du mal, et n'aime que le bien.

Every day I heard the same song, and still I loved to hear it. I thought of him who wrote it, Beranger. What a blessing for a nation to possess a poet who speaks to all classes of the community, who invites the poorest and the meanest to the feast which he prepares, a feast for the enjoyment of which one thing only is needed, a human heart. And blessed is the poet who speaks especially to the poor, and tells them, that for them too life still has hope and joy; who encourages the heavily laden to bear their burden cheerfully. Beranger, thought I, thy world is but a narrow one, but it is beautiful; thy song is a small one, and, like the Alpine horn, has but few notes; but they are clear and pure, and are equally well adapted to the dance and to the battle-field; they can chant the glory of the emperor or sing the charms of Lisette. Beranger, out of France thou art but little un-

derstood; thou art, like champagne, of exclusively French growth; but here, where all sing thy songs, the porter and the pensioner, the student and the grisette,—here one learns to know and to love thee.

Such thoughts frequently came across me, while the organ was playing in the court; and the other inhabitants of the Passage Violet seemed to feel the influence of Beranger no less than myself. The tailor's apprentices who were at work in the basement joined in the chorus, and the little grisette who sewed in the attic of the opposite house wrapped a sous in a large piece of white paper and threw it at the feet of the old ballad-singer.

One morning, while I was under the benign influence of the sunshine, the "Dieu des bons gens," and my breakfast, Venedey entered my room, and asked if I would accompany him to pay a visit to Beranger, at Passy. Beranger in his cottage! a far more pleasant sight than Victor Hugo in the chamber of peers, and I heartily thanked my friend for his offer. At Paris it is a singular piece of good fortune to be able to make the acquaintance of any one who enjoys the celebrity of Beranger. For as every travelling Englishman and German endeavors to force an entrance into the company of celebrated men, they have been obliged to deny themselves to strangers altogether. Victor Hugo lives within triple, impregnable walls; Laménais gives cards of admission (*laissez passer*) to his friends; and it is so difficult to gain admittance to the presence of George Sand, that a French writer, who wished to see the authoress of *Leila*, was obliged to disguise himself as a chimney-sweeper.

It was on a beautiful morning that we passed along the Boulevards on our way to Passy. In front of the coffee-houses fashionable young men sipped their coffee; carriages and wagons rolled by and between them, like some strange monsters; huge omnibuses painted in the most glaring colors; troops of soldiers passed along with drums beating, tricolor flags fluttering, and bayonets glittering in the sun; pedestrian tradesmen proclaimed aloud the wares which they had for sale; peasant-girls offered their freshest bouquets; dress-makers tripped along with their japanned band-boxes, and old gentlemen led their sick poodles, for a walk, by red ribands. We

passed through the gardens of the Tuileries, where the orange blossoms scented the air, and all the children of Paris appeared to be pursuing their sports. The white marble statues stood out in bold relief from the dark foliage of the chestnuts, and the fountains gushed, and seemed to whisper that they had enough to do to wash out all the blood which had flowed upon this spot.

Thus we reached the Champs Elysées, the green wood within the walls of Paris, whose avenues are thronged by bearded horsemen and amazons in long flowing habits. Once without the walls of Paris, we soon reached Passy, which is built on the side of a gentle acclivity; it wears the appearance of a poorer faubourg, and has small houses and narrow ill-paved streets. The best thing which Passy possesses is the view of the immense "Champ de Mars," which stretches along on the opposite bank of the Seine.

We stopped at one of the small houses, and knocked at a door which was on a level with the street. Several voices bade us enter, and we soon stood within a small cheerful room, through the open window of which green vine leaves were peeping in. A good-humored old gentleman, with a velvet cap upon his head, was sitting at a table, with a hearty breakfast and a bottle of wine before him. An old lady, whose wrinkled face still bore the traces of former beauty, sat opposite to him, and a young man was reading a newspaper aloud. The old man was Beranger; the lady was she who in her younger days had been celebrated as Lisette; the young man was one of the editors of the *National*, who sought aid and counsel from the old poet.

It is almost unnecessary to give a description of Beranger, whose face, as he is represented in portraits, is familiar to every one. I will only say that the medal of David d'Angers presents a perfect likeness of him. A hearty old man with a good-humored countenance, he had the appearance of a farmer who is contemplating the fields which he has sown with corn, and finds the promise of a harvest less rich than he had hoped, but yet enough to reward him for his toil. His fine head with its full expansive brow was crowned by a few locks of silvery hair; a sarcastic smile now and then played around the corners of his mouth, but soon gave way to an expression of sincere philanthropy and benevolence.

Thus Beranger stood before us in the lowly chamber in which he lived. The vine leaves hung around the window, and as they moved in the scarcely perceptible breeze, their changing shadows played upon the walls; altogether

it was a sweet picture of peace and tranquil enjoyment.

It was the period of the first meeting of the Prussian assembly, which was in a great measure engrossing public attention at Paris; and, after the first compliments had passed, we immediately fell into political conversation. "What are the news from Germany?" asked the old man; "what is Berlin doing? what is the first nation of the world about?"—"The first nation of the world!" exclaimed Venedey, "that is a title which Frenchmen can give only to France."—Beranger smiled: "By no means; the first nation of the world are undoubtedly the Germans. I hear it, and read it everywhere. The orators of Berlin say so every day, and even the French newspapers tell us that Germany is on the point of presenting a sublime spectacle to mankind. We poor Frenchmen are quite set aside, and the only question is, whether Germany will permit us to continue to be the second nation of the continent."—"By the ironical tone in which you speak," replied Venedey, "it is easy to see that you are conscious of still being the first nation and that you cannot reconcile yourself to the idea of any other people being equal to you, advancing, as it were, in the same line."

The ironical expression disappeared from Beranger's face. "Pardon," he cried, "an old man who cannot divest himself of the recollections of old times. I assure you, however, that there is no one who more sincerely wishes to behold the two most civilized nations of the continent advancing hand in hand towards the attainment of that liberty which they both stand so much in need of."

The conversation was continued and became warm. A German idealist and a Frenchman of the school of Voltaire were engaged in argument, but their discussion was free from bitterness, like a quarrel between two old friends. The personal appearance of the old songster is full of animation, and the vigor of his language and even the tone of his voice produced such an effect upon me that I frequently forgot to follow the course of the discussion, and only admired the old man who had written so many beautiful songs and thus added to the happiness of so many men. His life passed before my mental vision. I saw him, goblet in hand, boldly singing against the restoration, until his name was upon every tongue, and the youth of France shouted around him with delight. Then came another picture. Beranger sat in his dungeon in "La Force," and gazed through the iron grating upon the life and bustle of the streets. And there came again a hot day; a black confused

mass of human beings, half-enveloped in smoke, defended the barricades, and the songs of Beranger were the Marseillaises of the day. The last picture was the most lasting of all. The victory of the revolution of July had been gained; the wishes of the old poet seemed to have found their accomplishment. Bourbons and Jesuits were expelled, and a citizen-king sat upon the throne. But he who was once called "the best of republics," bitterly disappointed the hopes of France, and of all her patriots none regretted more than Beranger that he had been so weak as to feel enthusiasm for Louis Philippe. Then for the first time the aged poet lost his good humor, and he withdrew from the society of his former associates, who had been decorated with orders or been made ministers of state. He published his "*Dernières Chansons*," and became silent.

And silent he remained during many years. It is only recently that he has been induced to give to the world a few more songs, but one of which is worthy of the best days of Beranger. It is a song which describes the ocean of the nations swelling and raging around the fortresses of the kings. "*Ces pauvres rois ils seront tous noyés!*" is the sad *refrain* of the song.

When in the evening I returned to my chamber, the old man in the solitude of his cottage was still before me; I could think of nothing else. The window of the attic on the opposite side of the street was open; the *grissette* who lived there came and hung up her dress for a curtain, and, as she did so, sang the verses of the "*Dieu des bons gens*," which she had heard from the ballad-singer in the morning. — *Die Grenzboten*.

## LORD MAYOR'S DAY.

BY ALBERT SMITH.

I do not remember to have met with a matter-of-fact description of Lord Mayor's Day. Some years ago, the late Mr. Theodore Hook published a famous story, called "*The Splendid Annual*," in which he depicted, as he only could have done it, the glory of the Lord Mayor when he took possession of his office, and the grandeur thereunto attached, ending with a capital account of the indignities he endured when he sunk the mayor in the citizen at the conclusion of his reign. Every year the papers come out with long lists of the viands provided upon the occasion; the quantity of tureens of turtle, "each containing three pints;" the number of dishes of potatoes, "mashed and otherwise;" the bottles of "sherbet," which I take to be the *Guildhall* for "Punch;" the plates of biscuits, and the removes of game; enough in themselves to have emptied all the West India ships, Irish fields, Botolph Lane warehouses, ovens, preserves, and shops generally, ever known or recognized. And they also tell us how the Lord Mayor went, and how he came back; how he was joined on his return, at the Obelisk in Fleet-street, by all the noble and distinguished personages invited to the banquet at Guildhall; and what were the speeches given. But they omit the commonplace detail; and as this is something that is sought after, now-a-days, whether it relates to a

visit to a pin-manufactory, a day in a coal-mine, or a dinner in the city, I venture to give a report. And I beg to state that this is intended more for the amusement of my friends in quiet country nooks and corners—who hear occasionally by a third day's paper of what is going on in our great world of London—rather than for those who know city dinners by heart, and can look back through a long vista of many years, at the sparkling splendor of Guildhall, as on our retreat from Vauxhall we cast a last glance at the Neptune, at the end of the walk, ever spouting out amidst his jets and glories.

My earliest recollections of Lord Mayor's Day are connected with my scholarship at Merchant Taylor's. The school was once called "*Merchant Tailors*;" but I remember some eighteen years ago, when instruction in writing was first introduced there, and we had copies to do, with the name of the establishment as our motto, that our esteemed head-master, "Bellamy," (for "Reverend" or Mr.) were terms alike unknown to us) altered the orthography. "How will you have 'Tailors' spelt, sir?" asked Mr. Clarke, who had come from the Blue-Coat School (if I remember aright) to teach us our pot-hooks and hangers. "With a y, most certainly," was the answer of the "Jack Gull;" for Bellamy (that I should live to write his name thus lightly, and so treat



him without fear of an imposition; but he was a goodly creature and a good scholar, and will forgive me) had his name inscribed over the door of the school-room as "*Jac. Gul. Bellamy, B. D. Archididascolo*," and from this abbreviation he took his cognomen amongst the boys. And so we did not mind being called "snips" by opposing schools, (and, mind you, we had great fights with Mercer's and St. Paul's thereanent; and pitched battles in Little St. Thomas Apostle, and Great Knight-Rider-street) but we stuck to the *y*, and henceforth believed greatly in our school, and its motto: "*Parvæ res concordia crescunt*," although ribald minds still told us that its true translation was "Nine tailors make a man."

But I humbly beg pardon, all this time I am forgetting Lord Mayor's Day. It was to me a great holiday. I had some kind friends in Bridge-street, Blackfriars, who always invited me, on that festival, to join their party; and from their windows, over the little court that runs from the above-named thoroughfare, into Bride-lane, I first beheld the pageant. I look back upon those meetings now with very great pleasure; enough, I hope, to excuse my dilating upon them in these few lines. None of the parties which, as a floating literary man upon town, I have since been thrown up with, have ever equalled them in unstrained fun and honest welcome. I can recall vividly the crowd in the street; the only parallel to which I ever saw was from the roof of Newgate, previous to an execution; for a mob is not particular as to the object of its assembling. The visitors, and above all, the girls, at the windows above; the laughter that the pie-man caused when he was pushed about by the crowd; the hard time the applewoman had of it when she unadvisedly ventured into the middle of the street, with the pertinacity of a half-price pit fruit-vender; the impudent boy who had got on the lamp-post and actually made faces at the policeman, knowing that he was beyond his power; the fortunate people, who, having possession of the door-step, looked down upon their fellows; and above all, the lucky mob, whom it was the fashion in after times, before the misery of Europe put them at a discount, to call "the people," who had carried the obelisk by storm, and perched themselves upon every available ledge; all these things, I say, I can recall, and wish I could look at them again with the same feelings of fresh enjoyment; before it was so constantly dunned, and hammered, and reviewed, and bawled into my ears, that "purpose" was the end of all observation.

Well, the crowd jostled and swayed, and quarrelled and chafed, and at last the proces-

sion started from the bridge. Its commencement was difficult to determine. You saw a flag waving about amidst an ocean of hats, and an active gentleman on horseback riding backwards and forwards to clear the way. Then the flag stopped, until more flags came up — from where, goodness only knows — and waved about also. Then the sound of a distant band was heard, only the bass notes falling on the ear, in that unsatisfactory strain that reaches you when a brass band is in the next street; and at last there did appear to be an actual movement. Large banners that nearly blew the men over, preceded watermen, and "companies," and all sorts of bands played various tunes as they passed under the windows, until they were lost up Ludgate Hill, until at length came the "ancient knights." They were the lions of the show. I had long wondered at them from their "effigies" in a moving toy I had of the Lord Mayor's Show, which my good father had made for me when quite a little boy; and henceforth they were always the chief attraction. I can now picture their very style of armor, their scale surtouts and awe-inspiring helmets, which reckless spirits have since called brass "*blancmange* moulds;" the difficulty they had to sit upright; the impossibility it would have been for them to have stood a course "In the name of Heaven, our Lady, and St. George," in the lists. But they were very fine. And then came the carriages, so like other toys I bought at the fair, in a long box, where the coachman had a curly goose's feather in his hat, and the horses dazzled with Dutch metal; then came other bands, and the huzzas, and the mob again. It was all very delightful: and nothing ever moved me so much, not even the processions in *The Jewess* when I first saw it. And it was very proper too. Now I am writing this very paper in the depths of the country. A wood fire is flashing upon the wainscot panels of my vast bedroom, which are cracking, from time to time, with its heat. The air without is nipping, and frosty, and dead still. A fine old hound who has chosen to domicile himself with me for the night is lying on the rug, like a large dead hare, dreaming fitfully of by-gone chases; and nothing is heard but the wheezing turret-clock that sounds as if it had not been oiled since the Reformation. It is impossible to conceive anything more opposite to a sympathy with civic festivity than this picture: but yet I look back to New Bridge-street, and Lord Mayor's Day, with the greatest gratification. I do not call the pageant "slow" or absurd. I only think if the spirit that would suppress it, with our other institutions, had been allowed to run wilful riot abroad, where would our homes and

hearths have been at present? What would the *marchands* of Paris, from the *Chaussée d'Antin* to the *Quartier Latin* not give to see any of their festivals of the middle ages progressing in the same unaltered steady-going fashion as our own "Lord Mayor's Show."

The procession over, I cared not what became of its constituents; and it was not until the very last anniversary that I ever had the chance of dining at Guildhall, and seeing what became of the principal part of them.

The ticket I received was wonderfully imposing; a whole sheet of Bristol board had apparently been used in its construction; and it was accompanied by a plan of all the plates at the table, my own being painted red, so that I knew at once where I was to sit. It did not say at what time dinner would be ready, but informed me that nobody would be admitted after a certain hour; so that, from some hazy recollection of the procession taking in its distinguished guests at the obelisk about three o'clock, I thought four would be a proper hour to arrive at Guildhall. The ride thither was by no means the least striking part of the day's excitement. From Ludgate-hill to Gresham-street my cab ploughed its course through the densest mob of people I ever saw; and as they were all in the way, and had to be "Hi'd!" and sworn at, and policed therefrom, I do not believe any one ever received so many epithets, more or less complimentary, in half an hour, as I did during that time. The windows were alive with heads; where the bodies thereunto belonging were crammed, was impossible to guess; and not only the windows, but the balconies and copings, the tops of shop-fronts and parapets were equally peopled; and this continued all the way to the doors of Guildhall, where my ticket and hat were delivered as I entered the Hall.

The effect upon entering was very beautiful. The long lines of tables, sparkling with glass and plate, were striking in themselves; but they were comparatively nothing. The noble building itself, with its picturesque architecture, outlined by dazzling gas jets; the brilliant star at the western window, and the enormous Prince of Wales' feathers, of spun glass, at the eastern, surmounting the trophy of armor; the helmets, banners, and breastplates hung round; the men-at-arms on their pedestals, in bright harness; the barons of beef on their pulpits; and, above all, Gog and Magog, gazing, as they had gazed for centuries, on the banquet, carrying fearfully spiked weapons which now-a-days nobody but Mr. W. H. Payne is allowed to use—and he only in a pantomime: all this formed a tableau really exciting; and, distant matters being considered, made one

think there was no national conceit in the pride and glory of being an Englishman, after all.

From the Hall the majority of the guests went on to the Council Chamber, where the presentations were to take place; and here there was amusement enough to be found in watching the toilets of the company. The gentlemen in their court-dresses and colored gowns, were well enough; there was a grave municipal appearance about them that set off the scene wonderfully, nor could it have been possible to have seen so many good old honest intelligent heads together any where else. But we must run the risk of being considered forever ungallant in saying that the dress of the ladies, with few exceptions, was in itself worth going to see. Their costumes were not poor—on the contrary, they were as magnificent as Genoa, Lyons, and Mechlin could make them. Neither were they old-fashioned: such would not have been altogether out of keeping. But they were singularly comical; the most heterogeneous colors, styles, and trimmings, were all jumbled together: and the wonderful combinations of manufactures they wore in, and on, and round their heads, would require a list as long as the "Morning Post's" after a drawing-room, to describe. Caricatures of the *coiffures* of all the early Queens of France and England might have been detected, by a sharp eye, amongst the company; nay, one old lady had made up so carefully after Henry VIII. that, with whiskers and beard, she would have been wonderful. A large proportion had a great notion of a fluffy little feather stuck on the left side of their heads; and all preferred curls to bands, when such were practicable—and curls of elaborate and unwonted nature and expanse. Amongst them, to be sure, were some lovely girls who would have put the west-end belles upon their metal—faultless in dress and *tournure* as a presentation beauty—but they were overwhelmed by the dowagers.

There did not appear to be much to be seen here, for it was impossible to get near the dais, so I went back to the Hall to my place at the table, and learned, to my sorrow, that dinner would not take place before seven. But there was plenty to be amused at as the more distinguished guests arrived, and passed on to the Council Chamber through an avenue of gazers, being announced by name as they entered. This name, however, it was impossible to catch; every one, from the size of the place, ended in unintelligible reverberations. So that from "Lord Or-r-r-r!" "Mr. Baron Pr-r-r-r!" or "Captain Uls-s-s-s!" you made out what you conceived to be the most probable, and

were contented accordingly. From time to time a brass band in the gallery played selections from operas; hungry gentlemen looked wistfully at the cold capons; and frantic officials with white wands ran about with messages and ordered the waiters. For myself, I confess to having settled quietly down on my form, and made myself as perfectly happy with my French roll and some excellent Madeira, as any one could possibly have desired.

At length some trumpets announced the approach of the Lord Mayor; and his procession, including my dear old friend of childhood, with the large flower-pot-shaped muff upon his head, entered the hall to a grand march. They came in long array down the steps, then round the end below Gog and Magog, along the southern side, and so up to their tables. This was really impressive; and, as the civic authorities, the judges and sergeants, the trumpeters, and all the rest marched round, one was tempted to think much more of Dick Whittington, and Sir William Walworth, Evil May Day, the Conduit in Chepe, together with Stowe, Strutt, Holinshed, and Fitzstephen, than the present good Lord Mayor, Sir James Duke, and all the municipal, military, naval, and forensic celebrities that accompanied him, to the tune of "Oh, the roast beef of Old England!" played in the gallery.

Our good friend Mr. Harker — without whom I opine all public dinners would go for nothing, and the Old Bailey Court become a bear-garden — gave the signal for grace, the tureens having already appeared upon the tables during the *cortège*; and then what a warfare of glass and crockery, of knives and forks and spoons, and callipash and callipee began! The hapless guests by the tureens, had a hard time of it in supplying their fellow-visitors; and the rule for politeness in the "Book of Etiquette," which says, "It is bad taste to partake twice of soup," had evidently never been learned; for they partook not only twice, but three times; and would, doubtless, have gone on again but for the entire consumption of the delicacy. For the vast number of people present it was astonishing, by the way, how well everybody was attended to. The waiters ran over one another less than they usually do at great dinners; they recollected when you asked for a fork, and brought you one; and if it had not been for their clattering down all the plates and dishes against your heels under your form, the arrangements would have been perfect.

At the head of our table was the most glorious old gentleman I had ever seen. Whether Farringdon Without or Broad Street claimed him as its own, I do not know, for the wards

were divided at the table; but whichever it was had a right to be proud of him. He knew everybody, and all treated him with the greatest respect. He was a wit, too, and made some very fair puns; besides which, by his continued pleasantries, he kept the whole table alive. He took wine with all whom he saw were strangers, and offered them his snuff box with a merry speech. He was the best mixture of the fine old courtier and common councilman it was possible to conceive; and my admiration of his good fellowship was increased, when I was told that he was actually eighty-two years of age! I should like to have had some quiet talk with that old gentleman. He must have known many youths, barely living on their modest salary, who afterwards rode in their own carriages in the lord-mayor's procession — perhaps, as the chief actors. He could, I will be bound, have told us stories of the riots of '80, when he was a mere boy; and of the banquet given to the Allied Sovereigns in that very old Guildhall, a score and a half of years afterwards. But he left our table early; and when he went, and told us all that he was going home to put on his slippers and have a cigar, we were really grieved to part with him, and could have better spared the touchy gentleman near him, who did nothing but squabble with the waiters, and threaten to report them.

The dinner was despatched — the cold turkeys, and hams, and tongues, and the tolerably hot pheasants and partridges — in less time than might be conceived. There was no lack of anything. The punch was unexceptionable; the Madeira of the choicest; and the champagne unlimited. And after all this, a bevy of pretty young ladies, with an equal number of gentlemen, appeared in the south music gallery to sing the grace, which they did very well. The visitors evidently knew their business. They did not applaud when the grace was over, in the manner of some reckless and enthusiastic spirits fresh at public dinners, who look upon it as they would do upon a Cyder Cellars chorus; but received it gravely, filled their glasses, and waited for what was to come next. Then the trumpets sounded, and were answered from the other end of the Hall, and the new Lord Mayor rose and proposed "The Queen," and if her Majesty could have heard how that toast was received, with an enthusiasm that made the very men-in-armor totter on their pedestals, and Gog and Magog almost invisible through the haze of excitement, she would have known that the expressions of her belief in the allegiance of her good old city of London, with which she was accustomed to respond to addresses, were beyond the conventional, after all.



The remaining toasts could only be heard by those at the principal table; but when the ladies left, the gentlemen went up, and stood about on the forms and benches to see and hear the "great guns" of the meeting. Afterwards tea and coffee were served in a long room to the right of the council chamber; and then dancing began in the latter apartment, until the part of the hall above the railing was cleared for the same purpose. During this period the company had an opportunity of seeing two very clever pieces of scenic view which were displayed to be looked at through windows, on what might possibly otherwise have been a blank wall. These were modeled representations of the Tower, and the Rialto, at Venice. They had a charming effect; the sober light and air of tranquillity thrown over them being an excellent contrast with the noise and brilliancy of what was in reality "the hall of dazzling light," usually treated as a poetic and perhaps

apocryphal piece of festivity inseparable from striking a light guitar.

The dancing was famously kept up "with unabated spirits," as newspapers say of a ball. To be sure, the more refined Terpsichorean nerves were occasionally shocked by hearing subdued wishes for "the Caledonians. The majority, too, preferred the polka to the waltz; and mistrusted themselves in the *deux temps*. But they were evidently very happy, and believed greatly in every thing about them; and if we could always do the same in society we should have little to grumble at. At last, not choosing to let the world generally know at what hour my faithful latch-key put me in possession of that most inestimable property, one's own bed-room, I slipped off, and arrived at home with calm propriety, filled with gratitude to the Lord Mayor, the Sheriffs, and the Corporation generally, for a very hospitable (and to me a very novel) entertainment.—*Bentley's Miscellany*.

#### HUNTING IN WESTERN TEXAS, AND VISIT TO SAN ANTONIO DE BEJAR, IN 1843.

BY A TRAVELLER.

During a lengthened residence in Galveston Island and its vicinity, when my occupations permitted, I devoted myself to sporting, or, as called in Texas, hunting. Bird-shooting is denominated "gunning."

In winter, wild geese, wild ducks, brant, canvass-backs, sand-hill cranes, &c., are met with in great numbers, and are brought down with buck-shot, either on the wing or from an ambush. As spring approaches, quails, wild pigeons, and the delicate prairie-hen, (a species of grouse) afford sport for small shot; but the magnificent wild turkey requires a small rifle-ball, or buck-shot. Before the warm weather sets in, oystering and turtle parties are formed; and when summer is approaching, fishing on the coast, in the bays and rivers, affords profitable amusement, in the shape of red-fish (as large and finer than cod), mullet, trout, perch, cat-fish, &c., &c. In these expeditions, woe be to alligators, rattle-snakes, opossums, racoons, fox, wolf, skunk (polecat), peccary, or Mexican hog! and when in the deep woods of the lower country, exciting indeed is the chase of the puma (lion of Texas), the tiger, and leopard. These last three wild animals are much smaller, and have none of the ferocity of

similar species met with in the jungles of Africa or India, and may be easily tamed.

In the autumn of 1843, having affairs to attend to in Western Texas, and being at Galveston, I made arrangements for starting. The first was to find my half-wild Comanche mustang, which had been loose on the island for months; and having sought for the animal myself in vain, I offered a reward to whoever would bring him to me. In a day or two a Scotsman, who had the reputation of being a "first-rate" horse-stealer, produced my mustang, which was in capital condition, observing that he had friendly recollections of me when out in the "Lafitte" privateer, on a cruise after some Mexican transports; and the only remuneration he required was to take a drink with one from the old country.

Discarding all European gear for myself or horse, I patronized the straight Comanche saddle, as better adapted for travelling over a rough country, and in not being liable to get wet when fording rivers, and moreover well suited to carry a blanket or two and well-filled saddle-bags. Habiting myself in buckskin, broad-brimmed hat, and stout Mexican mantle or poncho; armed with a double-barrelled gun,

one of which was a rifle; a pair of pistols in my belt, and a bowie-knife, (the *couteau-de-chasse* of the country); a store of bullets, shot, powder, coffee, sugar, tobacco, and a change or so of linen, I started alone, in the month of August, for Western Texas.

Leaving the "Pirate's Isle"\* by the ferry at Virginia Point, with myriads of musquitos and horse-flies now as companions, generally halting at a settlement at sun-down; or if benighted in the woods, or having lost my way, or my mustang got tired, I camped for the night at any convenient spot.

I visited the ever-memorable battle-field of San Jacinto, where the sanguinary Santa Anna was beaten and made prisoner by the Texans in 1836. They generously gave him his liberty; and in return, on his arrival in Mexico, he made a lengthened and savage war upon Texas until last year, when Texas was annexed to the United States.

Visiting Houston, the then seat of Government, and paying my respects to President Sam Houston, I crossed the Brazos river at San Felipe, founded in 1824 by S. F. Austin (the father of Texas), now in ruins and deserted, having been burnt by Santa Anna, a few days before the battle of San Jacinto. Remaining a few days at Columbus, on the Colorado river, visiting La Grange, Austin, on the same stream, and Gonzales, on the Guadalupe river, I arrived at last at San Antonio de Bejar, "the Thermopylae† of Texas."

Descending into its romantic and picturesque valley, the deserted missions of Concepcion and San José are seen; and on approaching nearer, the ruins of the devoted Alamo present themselves. On the western bank rises the towering steeple of the so-called cathedral; and through the bright and almost tropical foliage peep the castellated houses of the Spanish and American resident, and the square huts of the Rancheros and Peons. The river, which is clear and sparkling, is generally fordable, formed by tepid springs a few miles distant. The Texans, in their raptures regarding this locality, call San Antonio their Vale of Avoca.

The then population of San Antonio might be classed under the following heads: A very few opulent Mexican residents, foreign merchants, Rancheros, and Peons. The two first

need no particular description, but the latter require some notice.

The Ranchero, or herdsman, has a preponderance of Spanish blood over the Indian. Still, he is an uncultivated being, who passes the greater part of his life in the saddle, herding cattle and horses, hunting wild cattle, mustangs, deer, and buffalo. Unused to comfort, and regardless of ease and danger, he has a hardy, brigand, sunburnt appearance, especially when seen with his high, broad-brimmed hat, buckskin dress, Indian pouch and belt ornamented with various colored beads, armed with his rifle, pistol, and knife. He is abstemious in the way of food or strong drink, but passionately fond of his "cigarito de oja de maize." As a useful and judicious companion on a long journey, or on a trip into the woods, it would be difficult to recommend his equal.

The Peon, or laborer, has generally more of the Indian in his composition than the former. He is superstitious and ignorant, and has but little of the energy of the Ranchero. The Peon resides in the city and suburbs, tilling and cultivating the productive land, or "labores" (small farms), and appears of a contented disposition. In Mexico the Peon is nearly as much a slave as the Negro is in the southern states of America. His usual dress is a calico shirt, wide calico trousers, a fancy colored girdle about his waist, his jacket thrown carelessly over his shoulder in summer, a broad-brimmed hat, the band studded with silver ornaments and colored beads. Early in the morning he goes to mass, then to work; after dinner he sleeps his siesta; and in the evening amuses himself by tinkling his rude guitar to his mistress, dancing zapateos, smoking, and gambling at times.

The females of the Rancheros and Peons are pretty, good-natured, and obliging. They dress plainly, but tastefully; and well know how to show off their figures and feet when tripping to matins or vespers, their heads and greater part of their faces coquettishly covered with the black mantilla. These are the votaries of the bayle and fandango: they flock to the scenes of mirth and music, conducted with decorum and gentleness. From early evening to the soft hour of twilight, they may be seen, in the summer season, going in joyous groups to sequestered parts of the river, to bathe; and there the curious eye might occasionally observe them gliding about in the limpid stream, their regularly-formed, bronzed faces peeping above the surface of the water, and their black hair floating over their shoulders.

The days of the governador and alcalde

\* This is in allusion to Galveston Island having been the residence of Jean Lafitte, the "Pirate of the Gulf," from 1817 to 1821.

† Called so on account of the slaughter of about 160 Texans in the Alamo fort, by Santa Anna, a few weeks before he himself was taken prisoner. David Crockett was one of the victims.

have passed away forever ; and in their place are seen the American mayor, sheriff, and constables.

Excepting in the few principal families and foreign residents, the inhabitants still adhere to the tortilla or maize-cake as bread ; and a sort of *olla podrida*, seasoned with garlic and red pepper, is their favorite food. The never-failing stone metate, on which the maize is ground, to make the tortilla ; a hide stretched upon a frame, serving for a bedstead ; a few low stools, a small table, a little crockery, their clothes, a few valuables in an antique trunk, and jorongos, or Mexican blankets, constitute the catalogue of their worldly effects.

San Antonio has ever been the theatre of strife and bloodshed, and hardly a wall or house has escaped the effects of cannon-balls : even the church bears evidence of very rough usage. Those turbulent times have passed ; and whatever may be the result of the present war between the Americans and Mexicans, San Antonio has a good chance of becoming a flourishing city in the hands of the former.

Having remained some time at San Antonio and its vicinity, I was one of a party of six, principally with the object to hunt the bear in the Guadalupe mountains.

We were better armed than mounted ; and it was pretty clear, had we got into a "difficulty" with the Indians, we should have had to fight, for but little dependence could be placed on the retreating movements of our mustangs. In addition to rifles, pistols, and bowie-knives, we had our spears, such being useful instruments at times in a bear-hunt. We loaded two mules with Indian corn-meal, salt, bacon, groceries, tobacco, some whiskey, an iron pot, coffee-pot, frying-pan, and tin pannikins. All were habited in buckskin, each having his warm Mexican mantle, or xorongo.

We left San Antonio the beginning of October ; but ere we started, an old Indian fighter, my respected friend, Colonel Jack Hays, "guessed" that six was too small a party to go far into the Indian country, without we wanted to get up a fight with "them d—d red rascals," adding, "Citizens, before you slope, come and have a drink." This we did, at the French consul's groggery ; then, lighting our "Alamo pipes," left for the woods.

Travelling a few miles, we camped down for the night at the springs or head waters of the San Antonio river. Here we saw numberless even-running streams, issuing out of a limestone rock containing silica, giving rise to four streams, which soon unite, and form one of the clearest and prettiest rivers in the world.

Round the springs is an almost impenetrable wood ; and under the huge branches of its giant trees we "fixed our pallets," consisting of our saddles for pillows, horse-cloths for beds, and our Mexican mantles for covering. We had our supper, which was quickly prepared. One of the party made the fire ; another mixed up the Indian corn-meal with water and salt, baking it in the frying-pan—this was our bread ; another made coffee ; another broiled the dried meat on sticks ; and the other two watered and hobbled the horses round the camp.

Late in the evening, it blew a coolish "norther" (as yet the freezing and wintry "northers" have not set in), which cleared the sky ; and, when the moon was up, we anticipated sport amongst the wild turkeys, or, as called by the Mexicans, "guajalotes." The moon being now bright, three of us left camp, the other three remaining on guard. Creeping silently through the woods, we got under the branches of a huge cotton-wood tree, espying on the upper ones a dozen or more wild turkeys at roost. Each of us marked his bird ; and at the word "Fire !" the woods reëchoed again, and three wild turkeys, large and fat, came tumbling down through the foliage. We returned with our game, had a cup of toddy, and then to sleep, each keeping a guard of two hours during the night.

By day break we had had our sylvan meal—breakfast, dinner, tea, and supper are pretty much the same in the woods—and commenced travelling over an undulating country, covered with frost-oak, with here and there pieces of rock, and occasionally a few siliceous pebbles seen. During the day we shot many fine deer, with the object of making bags of their skins—by taking them off whole—to contain the wild honey we expected to get in the woods. Large flocks of turkey-buzzards hovered above us, eager to dart down on the carcasses of the deer. These birds will follow hunters and Indians great distances, in the hope of getting any flesh that is not eaten. Moreover, when one is in an Indian country, a flight of these birds seen in the distance, hovering about, oftentimes warns the solitary hunter not to approach the trail of a body of Indians.

We camped on one of the branches of the Salado river, where we had fine rich musquit-grass for our horses. This grass is excellent food for sheep.

We had some rough travelling to the Cibolo river ("Cibolo," the Indian name for buffalo). The country traversed was hilly, and covered with insulated masses of the limestone of the district ; and in the gullies it was seen stratified. During heavy rains the Cibolo,



like the other streams up in this country, rises rapidly, and runs with much impetuosity. The deer seen to-day were very tame—that is, we could come up with them to within 70 to 80 yards. Thus, the wilder the country, the tamer are the deer; or rather, they are confused when they see strange objects, and even approach hunters, at times, to within a few paces; they then lope off a little way, stop, and so on, until they get “scared,” or frightened, and then they run off.

Our next day's journey was to the Esequia. The only American of our party was superstitious, which is a rare thing in an American, and told us that he should have no luck when hunting if he had not a gold or silver coin about him. One of the Scotsmen of the party loudly protested at hunting on a Sabbath; but yesterday, although it was Sunday, he could not resist a “crack” at a fine buck. He wounded it; but the animal got away. (Retribution!)

Continuing our track the following day towards the Sabinas creeks, which take their names from the quantity of cypress woods in them, we got a glimpse of wild cattle, and anticipated some rough sport with them. The land and pasturage here would suit stock-raisers. In a thicket we camped under at noon, we found the wild summer and winter grape, mountain plum, black walnut, black and red haw, persimon, the nutritious pecan; hickory and other nuts, the Indian bread-plant, small red pepper, or chilitipin, sassafras, sumach (Indian tobacco), &c., &c. With fine weather, the sky being beautifully blue and clear, and abundance of sport amongst deer, antelope, and wild turkey on the wing, we arrived at the sources of the Sabinas creeks, where thousands of springs are seen rushing out of the rocks, forming rapid streams; and, where there are deep holes in the beds of the streams, we found a small species of turtle, trout, and fat cat-fish. The steep and rocky banks of these streams have a shelving appearance, as if recently formed by the retiring of waters. This same characteristic is perceived on the face of the different ranges of hills and mountains in the distance; and the ground is strewn with isolated angular masses of rock of all dimensions. We were now in the Comanche “range,” or country, and had to keep a sharp look-out, and thought if we had been fifteen to twenty strong, it would have been safer.

The next morning we started for the Guadalupe valley; and when traversing a small prairie, came upon a fresh Indian trail. We halted, and commenced an examination of it, when, from the number of horses that had apparently travelled this way, and other indications, we supposed that about twenty Indians

had passed, and about five or six days before us. We continued on this Indian trail for a few miles, to one of the branches of the Guadalupe, when we came to where the Indians had camped, and here, from further observations, satisfied ourselves that they had gone somewhat rapidly towards the north, into the heart of the mountains towards the San Saba, one of their favorite rendezvous. We camped in the temporary Comanche wigwams, composed of boughs bent over so as to form an alcove; and the best mounted of us went off on the trail some miles, with great caution, so as to be satisfied that the enemy was not in the vicinity, to hear the report of our rifles when we might be hunting. We saw occasionally wild cattle and buffalo roaming about the hills. Formerly, very large droves of the latter were to be met with here, but appear to have gone more to the north. Returning to our camp through a thick cypress “bottom,” for the first time saw some recent bear-tracks. We were a little too soon for bruin; for he was still luxuriating and fattening upon nuts in the thick and almost impenetrable timbers and brush of the cypress bottoms. We did not think it prudent to use our rifles this day, and employed the afternoon in “bee-hunting.” This was an easy affair in this vicinity; for in nearly all the hollows of the cypress-trees honeycomb was to be found. We got a considerable quantity, and sufficient wax to make it worth while taking it to San Antonio for sale. Indeed, oftentimes parties go out into the woods expressly for honey and wax; and instances are upon record of very large quantities of honeycomb being found in the clefts and fissures of rocks, and in caves.

After a few hours' travelling next day, keeping to *leeward* of the Comanche trail, and over high rocky ridges, we came down into the picturesque valley of the Guadalupe; the river fordable in parts only. Some of its banks are high, and in places perpendicular; at others they are gentle and rolling prairies. The head-waters of the Guadalupe rise in ranges of mountains about 4,000 to 5,000 feet above the sea, and which form a fine dark background to this part of the country. We selected a commodious spot for our camp, and entrenched it with fallen trees as well as time would permit, in case of a sudden attack from Indians. One-half of our party went out to look for bear-tracks, but saw none. Returning, we espied a fine wild black bull; hobbled our horses immediately under cover, and soon “circumvented” our prey. We made sure of him by giving him three shots, tied our lazos to him, and hauled him in triumph to our camp, which afforded us abundant occupation in cutting the flesh up into thin strips, so as to

dry them in the sun. This is called "jerking." When so prepared, it is designated "tasajo" by the Mexicans, and "chargin" in other parts of Spanish America, and so rendered more portable than if fresh, and keeps for a long time. This wholesale addition to our stock of food was very seasonable; for late in the afternoon a party of Lipan Indians, under the chief Castro, with their squaws, children, horses, mules, and tents, joined us, from an unsuccessful buffalo-hunt in the mountains. Castro was known to the whole of our party as a firm ally of the Texans, both against Mexicans and Comanches; and we shared our beef and honey with him and his followers. This addition to our numbers was seasonable: for, from what our Indian friends told us, there was but little doubt of several parties of Comanches roaming about our vicinity. As yet, that warlike tribe had not forgotten the loss of so many of their chiefs in San Antonio in 1842, in what is generally known as the "fight of the Court-house;" and the scalp of a white man would have been considered a rich trophy in revenge for their fallen braves. About sunset, I wished indeed that I had been gifted with the painter's art, so as to have sketched the scene. It is now some time since: but the impression of it remains strongly imprinted on my memory.

Our camp was on a small prairie, sloping gently towards the river, so as to afford an easy watering place for our horses. In our rear was a range of thick brush or underwood, with here and there natural recesses, which served us as a shelter from a tropical sun in the daytime and from the heavy dews at night. The larger of these recesses we termed our "kitchen, parlor, and hall," and in it there was "some tall cooking" going on — roasts of all sorts and sizes, and in the iron pot there was a huge piece of beef destined for soup. The bread, already made, stood up on end near the fire; the contents of the coffee-pot fizzing away; one of our party, having watered the horses, was hobbling and tethering them round the camp; the dogs were capering about amongst the horses; others of our party attending to the cooking, and hanging up the slices of beef to fry, the rest cleaning their rifles and loading them carefully for the night, and, after a hard day's work, anticipating with gusto the feast upon "fat ribs," &c., that was in store for us.

On the opposite side of this at-present murmuring stream, calcareous rocks rose abruptly 400 to 500 feet, ponderous masses of the same having fallen into the river. Cypress trees of all sizes studded the clefts of the rocks, surrounded with a rich dark green underwood,

and here and there the cactus and opuntia, and a few live oaks. On the cypress trees were perched a considerable number of Turkey buzzards, anxiously awaiting the opportunity to be our scavengers, when we might "break camp."

Near to us the Lipan chief Castro had planted his picturesque buffalo tents, and in front of each blazed a fire. Their iron pots were soon in requisition, cooking the beef we gave them, and we were glad to be able to share our maize meal, particularly with the squaw and children. The Indians, ere they had their supper, looked well to their guns, spears, bows and arrows, shields, pouches, and other gear, so that, in the event of an attack, all might be ready to repel assailants. At sunset the scene partook of rather a gorgeous character: all was bright and sunny for a short period, and soon afterwards it was dark; but still the scene was interesting, for the blazing fires gave sufficient light to distinguish objects about the Indian tents, and in our camp.

After the evening meal, the white and the red man joined company for awhile, the pipe of peace went round, and many were the stories told of Indian fights and hunters' adventures. Our whiskey by this time "had given out," so when thirsty we had the cool and refreshing stream of Guadalupe to resort to. Good watch was kept during the night, and all we heard was now and then the howling of wolves and prairie dogs, who seldom or never enter a camp.

I felt but little desire to sleep during the first watches of the night, and as it had been arranged to have a bear hunt next day, I bethought me that I would compose a song for the occasion, to be sung on the following morning as a sort of *reviellé*. It was my morning watch, and a few minutes before our general time of rising I sung the following:—

#### THE BEAR-HUNTER'S SONG.

##### I.

Up! rise! the sun's o'er the forest,  
Bright is Guadalupe's foaming spray.  
Hark! the stream's loud roaring calls us;  
Gird on your arms, and haste away.  
Then away! then away! bear-hunters, bear-hunters, away!  
Black Bruin he'll start from his lair.  
Be ready, be steady. Away,  
To chase the bonny black bear.

##### II.

The hunters are mounted, the bear-tracks they follow—  
The dogs in full cry—well poised are their spears.  
Onward they go, o'er mountain, thro' valley,  
Till Bruin, all bristled for battle, appears.  
To the fight! to the fight! bear-hunters, bear-hunters, press on!  
Aim your rifles with skill and with care.

See, he writhes in his wounds ; spear him down ;  
 'Tis a jolly, a jolly fat bear.

### III.

Now fill up every horn, my brave boys !  
 The chase it is over, now let us repose ;  
 Let each fleeting moment heighten our joys,  
 Under the live-oak's wide-spreading boughs.  
 Then fill up ! then fill up ! bear-hunters, bear-  
 hunters, fill up !  
 Ay, old Bruin affords us good fare.  
 Let us drink, let us sing, care behind us let's  
 fling,  
 Whilst we feast on the jolly fat bear.

Although I say it (who should not say it), my companions voted me a "regular up-stree" bear hunter," and doubted not but that, with the help of our patron, Saint Hubert, we should have luck. The gravity of our Indian friends was somewhat moved, and they joined in at the last verse with their peculiar howl, by hallooing and patting their mouths at the same time, and afterwards laughing heartily.

Leaving one of our party to look after our camp, and accompanied by Castro and some of his followers, we started up the river, when, after a considerable ride, over a very rough and hilly country, we got down into a thick "bottom" of pecan and hickory-nut trees. The first thing to be done was to look out for bear-tracks, and then follow such indications, which generally lead to the spot near which the bear might be feeding. After some time we came upon tracks which were pronounced by our party to be what we had been so anxiously looking for ; but, on examination, Castro's opinion was, that the tracks were old ones, perhaps a year old ; and so they proved, for, after beating about for some time, we saw no "bars" (bears). We got down to the Guadalupe river to water our horses and take a snack, when Castro proposed fording the stream, and hunting down on the other side to our camp ; this we did, and in about half an hour afterwards came upon fresh bear tracks. Our patron saint had heard our prayers, for, on entering a prairie, we got the sight of a pretty good sized black bear, shuffling heavily off into the bush. Once having sighted him—to use a transatlantic term—"he was a gone coon." We gave our horses in charge of the Indian boys, when Castro and our backwoodsman led the way. We entered the bush, where now and then the rustling noise made by the bear progressing clumsily through the thorny underwood was heard by us, which told his whereabouts. The hunt now became exciting. For some minutes we heard nothing of bruin. Some of us had our doubts of success, but Castro was sure we should catch him. Onward we penetrated into the forest, which was strewn with huge masses of rock, fallen trees, and thorny vines, leaving rents and marks on our

thick buckskin dresses. Our dogs being ahead, at last began howling : they had caught sight of the bear, and now the hunt was interesting indeed. Old Castro was very active in jumping from rock to rock, balancing himself from one branch of a tree to another, jabbering away in Lipanese, and urging us to keep up with him. At last he got sight of bruin, who had tried to hide himself in a *cul-de-sac* formed by two huge pieces of rock, and we were close upon him ere he could beat a retreat with anything like a chance of escape. Castro fired first, but his gun, being only a Mexican carbine, merely tickled him. As a stranger, I had next shot, which took effect on the upper part of his neck ; some other shots were fired, but our backwoodsman "did the deed"—a mortal wound, the ball going in about the forepart. On receiving the wound poor bruin roared, kicked, rolled, and writhed ; his but-not-long-since bright eye became dim ; there were groans, blood was running freely, when Castro gave him the *coup-de-grace* by piercing him with his spear, and there he lay, "the jolly fat bear."

True we had killed the bear, but now came rather a serious job—to get our prize out of the underwood. There was but one way—that of cutting a road. Hatchets and bowie-knives went to work ; and, thanks to our Indian friends—for without them I do not think we could have got him out of the wood whole—we did accomplish it ; and, once out in the comparatively open country, we hitched our lazos on, dragging him to opposite our camp, and soon floated him across the river.

The bear was skinned, and then the dismembering commenced, and the celerity with which this was done was surprising. Now, for the first time in my life, I anointed my hair with the *veritable* bear's-grease. The roasts soon commenced of bear's flesh, and when done was eaten with honey as a sauce by the initiated ; I prepared it *au naturel*, and my idea of it was, that it was very good, and that it partook of a flavor between pork and veal.

Having got one bear, there was but little doubt that his companions were not far off ; but the following day being Sunday, we all remained in camp, cleaning our horses and guns, and strolling about in the vicinity with our Indian friends.

On the upper parts of the Guadalupe are spots capable of cultivation, with plenty of grazing land for cattle ; at present it is an Indian hunting country. There is no navigation on the upper parts of rivers in this district, but during "freshets" caused by heavy rains these rivers run torrents ; the rains being over, they dwindle down into insignificant streams.



On Monday morning early we were off bear-hunting, and succeeded, with but little difficulty, in getting another, and after dinner broke up our camp, our horses having eaten up all the good pasturage in the vicinity. We crossed the second Sabinas at the "Escalera" (the ladder pass) an almost perpendicular rocky ascent, which fatigued our horses very much. We got down upon the "Pinta's trail," having journeyed over several ranges of hills (divided ridges between the streams), camping for the night with our Lipan allies above the Cibolo river. The next morning we came down the Cibolo, crossed it, and camped at the Pinta's spring for the night, at the foot of the Lorna del Pinto.

The night being dark, we went "fire-hunting," or "shining deer's eyes," much resorted to in Texas and the Western States of America. *Deer-stalkers in Europe from this may get a wrinkle.* For this species of sport a dark night is chosen, when the hunter, added to all his other necessary gear, takes with him a frying-pan, fixed to a long wooden handle. Having got into the range of the deer, he lights a few pinewood chips, putting them into the frying-pan; placing it over the left shoulder, he commences walking gently and quietly, occasionally "sweeping the horizon"—that is, he moves the handle of the pan backwards and forwards; and should there be a deer near enough—that is, in his range of light—the deer will immediately look at the light, the rays of which will then impinge upon his eyes, when the hunter will perceive two starlight spots. The hunter now keeps the pan steady, brings the rifle up to its position, rests it upon the end of the handle of the frying-pan; aim is then easily taken; and if the aim be well taken, down goes the deer.

This practice is not unattended with danger at times, as it is difficult to discriminate with certainty between the eyes of wild beasts and those of domestic animals; as examples, I offer two anecdotes. The first occurred near Galveston, and a ludicrous hunting party it was. The soldiers in the barracks and the hunters in the huts were awakened one night by the cries of the dogs, which had brought some animal to a stand near by. Numbers were soon out with muskets, fowling-pieces, and rifles, half dressed, scampering off to the spot. There they found a dog barking up a tree, where the shade was deep, and where they looked long before they could perceive anything. At length, by lighting a fire, they discovered a pair of eyes shining far above them, and the pieces were immediately raised, supposing they had treed a racoon. One of the party,

however, suddenly ordered all to lower their guns, and going up the tree, recovered a favorite kitten, which had strayed, and having been pursued by the dogs, had caused this muster, and incurred so narrow a risk of its life.

The following happened to myself. Leaving Houston on one occasion for Eastern Texas on horseback, with a friend who went in his gig, we lost our road, and were benighted in a prairie. After pondering for some time how we had best act, I perceived a light in the distance on our right, and, supposing it to be a settlement, went ahead of the gig, but, after travelling some time, did not appear to get any nearer to the light, and moreover it sometimes disappeared for a while. We nevertheless continued our track after the said light, and appeared now to approach it, when my old mustang came to an immovable halt, fixed his fore-feet firmly on the ground, and would go no farther; the spurs were applied, but to no use. The light now appeared approaching us. There was a moment of suspense, when I bethought me to give a yell, such as one gives when lost at night, and one supposes himself to be in the vicinity of settlements. My yell was returned, and in a few minutes some hunters came up to us, who were out "fire hunting," informing us that my horse, and perhaps myself, had narrowly escaped a shot, for "his eyes shone like diamonds." It was this *rencontre* that led me to study the philosophy of "fire hunting."

For the last two or three days we had observed "mustang trails," and, as a sort of wind-up to our hunting expedition, we determined on a wild-horse hunt. The mustang, or wild horse of Texas, has been described narrowly by the several persons who have written on the subject; some have drawn a very depreciating picture, whilst others have gone too far the other way. It cannot, I think, for symmetry, be put into competition with the wild horses of Buenos Ayres, and moreover has but little trace left of what we understand by the characteristics of the Spanish horse; still the mustang is a very useful animal, and although it is difficult to cure him of his "Indian tricks," he is strong, hardy, runs about fifteen or sixteen hands, and may be purchased for a trifle, compared to the price required for an American horse.

The mustang is oftentimes hunted for his hide by the settlers, which is used for various purposes, but more particularly for the manufacture of the larriet or lazo (noose). When buffalo and deer are scarce, the Indians hunt the mustang for food.

Several plans are resorted to to catch them. One is, to be in ambush and well mounted near to their watering places, dash in amongst them, and noose them with the lazo. Another plan is to form a large temporary enclosure, driving them into it, and then they are easily noosed. Then, to *crease* them: the hunter has to get within a near rifle shot, planting the ball in the upper part of the neck; if properly done, the animal staggers, bleeds a little, and is easily taken, when oftentimes the wound heals, and he is fit for service. But when the skin, mane, and tail are merely required, then a mortal wound is generally given. Formerly, vast numbers roamed all over Texas, particularly in the west, where the nutritious musquit-grass is in abundance, and many clear streams. Their numbers are fast diminishing; and as the country gets settled, the wild horse, as will be the fate of even wilder animals, must disappear. At present herds are seldom seen of more than from forty to fifty, and from having been hunted a great deal they are very shy, so that much care is required in approaching them to get a sure shot.

On this day's hunt we formed ourselves into an extended line, or rather half-moon, so as to have command of some extent of country, when about noon were seen some dark specks on a hilly ridge ahead of us.

"Mustangs!" shouted Castro, whose piercing eye first saw the wild horse of the desert.

The plan now resorted to was to surround them ere they saw us, and thus we stood a good chance of getting a shot at them, for none of us had a horse sufficiently fleet to come up with them. Onward we went, and making now our circle smaller and smaller—for the mustangs had evidently caught sight of us—we dismounted, unsaddled, got to leeward of our horses, walking by their sides, urging them quietly onwards. The mustangs stood firmly for some time, now stamping, starting, coming to a rest again, snorting, holding a council of war amongst themselves, when off they bounded towards a narrow dell.

We had now to mount, bare back, towards the dell; our fleetest horses headed them in the deep valley, others went below, whilst the remainder of our party took possession of the heights, and then gently getting down into the valley. We had in a measure hemmed the mustangs into the bed of the stream; they pranced and galloped about, generally altogether, and it appeared pretty clear that, seeing themselves thus beset, meditated a rush up or down the valley. We had got to within pretty fair range of them, but the celerity of

their movements prevented us getting a good shot. At last our backwoodsman aimed at one of them, intending to *crease* them, but the wound was mortal.

The Indians managed to get two, at which they were delighted. Skinning now commenced, and, had we been short of food, doubtless the prime parts would have been roasted. We returned to camp, pleased with our day's sport.

On our route next day the country was literally alive with deer and antelope, hares and skunks (pole-cats), with now and then a wolf or fox. Some good settlements might be made in this part of the country, if emigrants would be contented with springs and small streams, and good prairie pasturages for sheep.

We "nooned" at the Olmos springs, the waters of which run into the San Antonio River, and a favorite place of the San Antonio folks for hunting, and particularly for wild turkeys and the prairie hen. "Saddling up," about two P. M., we had a pleasant ride towards Bejar, the ancient capital of Texas, and on gaining the summit of the ridge known as the "Comanche Look-out," the valley of San Antonio was seen in great perfection. The cupola of the church, the Alamo, the castellated houses, and dense foliage here and there, make it a picture.

As we approached the town, we heard firing as if of musketry. We halted for a while, when it was unanimously decided at all events to enter the town. If the Mexicans had taken possession during our absence, they might shoot us, but in all probability they would send us to the City of Mexico, which would have given us an opportunity of beholding the "Halls of the Montezumas," and not at our own expense.

In a few minutes our views relative to a probable residence in the dungeons of the inquisition, or in the Castle of Perote, or mending the roads were changed; for in a labor, or field, we perceived a Mexican family of our acquaintance, eating water-melons, and learned from them that the firing was occasioned by the sportsmen of the town being out partridge-shooting.

Thus ended a pleasant and profitable hunting expedition in Western Texas.

*Sporting Magazine.*

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*Friendship! sweet balm for sorrow's smart,  
In thee the soothing power is found,  
To heal the lacerated heart,  
Extract affliction's venom'd dart,  
And close the rankling wound.*

## THE JURY SYSTEM.

No greater misfortune could well befall a country than a distrust in the administration of justice, or a doubt as to the efficiency of the institutions by which it is dispensed; and it is not among the least of the evils which have been occasioned by the revolutionary faction in this country, that in the legal proceedings which became necessary for their suppression, the efficiency of our jury system came to be questioned. When Mr. Smith O'Brien was put on his trial, in March last, for seditious speeches, ten of his jurors were for conviction; two, however, refused to concur in a verdict of guilty, and the jury, after being locked up for a night, were discharged without agreeing to a verdict. Again, the day following, Mr. Meagher was put on his trial, and with precisely a similar result—two of his jurors refused to agree with the other ten, and, as in the preceding case, they were imprisoned for a night, and discharged the following morning. Messrs. O'Brien and Meagher stood out on their recognizances, and the entire proceedings went for nothing. The event was hailed as a triumph by the rebellious and the disaffected, and the clubs of Dublin marched in procession to celebrate their victory. Loyal and good men, however, began to fear that our system of trial by jury was unequal to the difficulty to be encountered: of the treasonable character of the speeches which were indicted, they could not possibly entertain a doubt; and men naturally felt that it was a monstrous thing that the perverseness of a small minority of a jury should thus frustrate the ends of justice, and give a triumph to sedition. In this country, as well as in England, an opinion began to prevail that Irish juries were not to be depended on; and while some scrupled not to avow that political offenders should either be tried by military tribunals, or in some county in England, very many were of opinion that the Scotch system was a preferable one to ours, and that the verdict of a majority of the jury ought to be received. Again, some short time afterwards, Mr. Mitchel was tried, and in his case the jury were unanimous, and he was convicted. But forthwith a cry arose that his conviction was obtained by a packed jury and a perjured sheriff, and the right of challenge, as it was exercised by the crown, was denounced as arbitrary and unconstitutional; and so it continued through all the succeeding trials, almost without an exception—men

founded their expectation of the prisoner's fate, not on the merits of his case, but on the composition of his jury—the Liberals avowing, and the Conservatives well knowing, that with one man on the jury to sympathize with the prisoner, there should never be a conviction; and it was obvious to every one, that in the conduct of the trials, the great, the anxious, and, must we add it, the decisive struggle, was in the selection of the jury. This was less so at Clonmel; for the constitution of the panel, the superior class from which the jurors were taken, left little or no ground for expectation that any partisan of rebellion could possibly find his way into the jury-box; but it prevailed universally in those trials which were had in Dublin.

That such a state of things is a serious reproach to our jury system, it is impossible to deny—equally impossible is it to conceal from ourselves, that the offence is a most fearful one in those jurors who allow their private feelings, or political bias, to control them in the discharge of their sworn duty. But let no man say that it is a reproach to which Irish juries are alone exposed, or that it is restricted to juries at all, and has not extended to the highest assembly in the country. Who can forget the election committees in the House of Commons? Were those tribunals not controlled, and avowedly so, by political bias? We take the judgment which was formed of them by the assembly from which they were selected, and we appeal to the cheers of triumph which echoed within the walls of St. Stephen's as the names of the several members of the committee were announced, all parties feeling sure that the decision must be in accordance with the political sentiments of the majority. Let it, moreover, be borne in mind, that political trials, especially those for sedition, are cases precisely of that nature in which it is most easy for a jurymen to beguile himself into the exercise of a discretion beyond that to which he is limited by his oath. He may persuade himself that the intentions of the party were for the public good—at any rate, that they were meant for the best; or that, even if criminal, very little practical evil had, in point of fact, resulted from them. In some such way, we say, it may be possible for a juror, whose political bias is strongly with the prisoner, to deceive himself into a violation of his oath.

But shall Irish jurors be condemned, and



justly we admit it, for this dereliction of duty ; and shall English juries be justified, or at least extenuated, for conduct which is not a whit less flagrant ? What has mainly contributed, of late years, to produce the mitigation in our penal code ? Simply the failure of justice, occasioned by English juries refusing, though on their oaths, to convict of the crime, because they did not approve of the severity of the punishment. Alderman Harmer, in his evidence before the Commissioners of Criminal Law, thus speaks on this subject : —

“The instances are innumerable, within my own observation, of jurymen giving verdicts in capital cases in favor of the prisoner, *directly contrary to the evidence*. I have seen acquittals in forgery, where the verdict has excited the astonishment of every one in court, because the guilt appeared unequivocal, and the acquittal could only be attributed to a strong feeling of sympathy and humanity in the jury to save a fellow-creature from death. It has frequently happened with myself, in my communications with old, professed thieves, that they have expressed a wish that they might be indicted capitally, because there was a greater chance of escape.”

And again, the commissioners themselves, in their report, say : —

“We are able to state, from our own observation, that, in cases of rape, juries, from apprehension of the fatal consequences of conviction, sometimes acquit on a charge of this nature, in the face of the most cogent proof of guilt.”

But it is unnecessary to dwell upon this subject. The fact would seem to be (much as it were to be desired that it were otherwise), that both in England and Ireland the juror's conscience is coerced, not so much by the obligation of the oath itself, as by the opinion of society, which condemns its violation, and that the weight of this public censure, and consequently the sanction under which the juror acts, is much diminished, if not wholly removed, when the oath is neglected, in order to promote some of the objects of which society approves. And it is so universally. How often did Messrs. Smith O'Brien and Meagher take the oath of allegiance ?

We confess that, if the subject of our jury system had not been opened by recent occurrences, it is one which we would have been most reluctant to enter on. The difficulties of the subject are excessive—many of them it

would be impossible, within the limits to which we are circumscribed, to convey to the general reader. Neither would we willingly lend ourselves to the pernicious habit of testing every venerated institution of the country by abstract reasoning on its operations. We believe that in all such institutions which have pervaded the whole spirit of the nation, which have moulded and fashioned the mind and manners of the country, there are latent benefits which it is impossible to discover—benefits arising from being thus adapted to the people, interwoven with their habits, and supporting their other kindred institutions, and that all these can be best protected by the prejudices which have grown up along with them, and should never be needlessly stripped of this cloak of prejudice, and trusted to the defence of mere reason : the practical benefits which may suggest themselves to each man, may appear inconsiderable ; many of them, as we have said, being latent ; and there must often seem to be serious defects which he may want industry and opportunity to investigate. But the political trials of this year have, as we have said, drawn considerable attention to our present mode of trial by jury, and have, we apprehend, tended, in some respect, to an exaggerated notion of its occasional, perhaps its unavoidable defects. We are here, then, set upon the defensive ; and it is not upon us that the reproach can be cast of shaking the authority of our most valued institution by needless discussion.

Now, one peculiarity in our jury-system, which has been very seriously questioned, is the necessity that the jury shall be unanimous in their verdict. It is contended, and certainly not without some reason, in opposition to the present system, that it must ever be a most difficult thing to get twelve men who will agree in drawing the same inference from the same facts, if these facts be at all complicated in their nature ; that let them be ever so sincere in their desire to agree in their verdict, that this difficulty will obstruct them ; that some of them must yield in opinion in deference to that of the others, and then, that it substantially ceases to be the unanimous verdict of the whole jury. And, it is further said, they will frequently not be sincere in their desire to agree ; one or two self-willed, perverse men, will be on the jury, who, if they fail in leading the others, will, from doggedness, or obstinacy, hold out against the majority, and forthwith that a struggle ensues, not between the strength of the reasoning, but the strength of the constitutions of the two parties. Many of our readers, no doubt, saw a report of the verdict of a jury in the Isle of

Man, about two months ago. Two of the jurors had been for finding the prisoner guilty of murder, the rest were for finding him guilty of manslaughter. They had been shut up for three nights, and were without food for twenty-four hours, when the minority, in exhaustion, gave in, and handed down the following verdict:—"The jury concur in indicting the prisoner for manslaughter; but this unanimity has been obtained from the painful gnawings of hunger, and not from the conviction in the minds of all the jurors, that it is in accordance with the principles of law, as laid down by the deemster." This is a case of the minority having succumbed to the majority; instances of the converse are, of course, less frequent, but they still do sometimes occur. When Lord Eldon was at the bar, he was, on one occasion, counsel for the plaintiff, in a case of seduction—the story is told in "Twiss' Life of Eldon"—the case was by no means an aggravated one, and the defendant was of rather an humble condition of life, being merely the son of a farmer. Every one in court was, consequently, astonished when a verdict for £800 damages was announced; but the manner in which so large a sum was procured was shortly afterwards explained, by one of the jurors telling Lord Eldon (then Mr. Scott) that he had a bottle of rum in the jury-room, on which he told the other eleven jurors, who were all opposed to him, that he would subsist, so long as a drop of it remained, and that he never would consent to a verdict, unless they concurred with him, and "Lawyer Scott's law" against their own convictions, and "the judge's law;" and that the others, seeing him resolute in his determination, and likely to carry it out, after some hours they all yielded to him, and found a verdict for an amount which every one of them believed to be exorbitant. And it is further urged, in opposition to the present system, that not only is justice thus frustrated by disagreement, or perverted by coercion, but that trial by jury is brought into contempt, and verdicts deprived of all their moral weight, by the bickerings and accusations to which individual jurors are exposed, who resist the opinions of their fellows, and prevent an agreement to a verdict. In ancient times, indeed, a practice prevailed of obtaining an unanimous verdict, by a process known as that of "afforcing the assize," which consisted in adding others to the larger part of the jury, until twelve were found to be unanimous, and fining the dissenting jurors; but this practice has been abolished for centuries, and, since the reign of Edward III., the present practice, with all its inconveniences, has prevailed. The disadvantages of the present system were

deemed to be so considerable, that it was thus condemned in the third report of the Commissioners of Common Law, a report which is sanctioned by the names of some of the highest legal authorities in the kingdom:—

"There seems to be no good reason," say these commissioners, "why, after a period of time sufficiently long for the purposes of reasonable and ample discussion, the jury should not be excused from the necessity of giving a verdict, or why the present principle of keeping them together until unanimity be produced by a sort of duress of imprisonment, should be retained; and *the interests of justice seem manifestly to require a change of the law upon this subject.* We propose, therefore, that the jury shall not be kept in deliberation longer than twelve hours, unless, at the expiration of that period, they unanimously concur to require further time, which in that case shall be granted; and that, at the expiration of the twelve hours, *if any nine of them concur* in giving a verdict, such verdict shall be entered on record, and shall entitle the party in whose favor it is given to judgment; and in failure of such concurrence, the cause shall be a remanet. It should be observed, that the first part of the provision is adopted from the statute of the 55th Geo. III., for extending the trial by jury to civil causes in Scotland; and we are induced to add to it the provision with respect to the concurrence of nine jurors, in order to guard against improper conduct on the part of any individual among the jury who might be disposed, from corrupt or partial motives, to hold out against the opinion of his brethren, during a period so limited as that of twelve hours.

JOHN PATTESON,  
HENRY H. STEPHEN,  
J. B. BOSANQUET,  
E. H. ALDERSON."

Neither, we must admit, can it be urged by the upholders of the present system of unanimous verdicts, that it owes its origin to any consideration of its expediency. Like the origin of trial by jury itself, the original cause of this peculiarity of English juries is wrapt in considerable perplexity. The best authorities, those who refer the introduction of the jury to the Norman conquerors, attribute this present usage to the reverence which was paid by the ancient Scandinavians to the number twelve—the necessity that this number of persons at least should agree, in order to give the verdict its due weight, together with the circumstance, that it derived no increase of authority from the concurrence of any

greater number combined, it is said, in fixing the number of jurors at twelve, and requiring them to be unanimous. On the whole, then, it will, we believe, be found impossible to deny that the present system did not owe its origin to any well-considered reasons of utility—that it is, in practice, attended with many, and these not inconsiderable disadvantages—and that it has been deliberately condemned by very high authority.

We have felt it to be our duty to put this view of the case fully before our readers, because it is impossible to dispute its truth. Admitting, however, as we do, to the fullest extent, the force of the arguments and authorities which may be brought to bear against the present system, we do not hesitate to declare our firm conviction, that the necessity for unanimity is indispensable to the right administration of justice, and that upon it the efficacy of trial by jury mainly depends. We say, in the language of Lord Denman, “That all verdicts of juries ought to be unanimous.”

It is impossible to render this, or any other human tribunal, perfect—this must be always borne in mind; and, consequently, it is unreasonable to argue against a system, merely because abuses exist in it. We must consider whether it does not protect us from greater evils than it subjects us to; or whether the disadvantages of the opposite system are not still greater and more numerous. While we have fallible materials to deal with, we will get no good unmixed with evil; and our duty and our policy plainly is, to select the system in which the greater good preponderates. Now one great evil to which all juries must naturally be prone, is the shunning of discussion. Every available precaution should be adopted to guard against this evil—everything which has a tendency to foster and encourage it should be most earnestly shunned. It is but by anxious, serious, and patient discussion and investigation that truth can be arrived at, and life, character, and property preserved. But the class of men from whom juries are for the most part composed, are not habituated to this patient and laborious investigation which is frequently required of them in courts of justice, when the testimony of conflicting witnesses is to be examined, and the intricacies of a complex state of facts to be unravelled. They are, moreover, naturally anxious to return as soon as possible to their homes, or places of business. Suppose, then, the majority of the jury were to determine the verdict, what would be the natural result? Why this—the jury retire to their room, each juror with a decided bias one way or the other, which he has formed in the progress of the trial; unused to the

labor of discussion and investigation, they will naturally shrink from it; anxious to return to their several occupations, they wish to get rid of their duty, and to hand in their verdict as quickly as possible. Is it to be supposed that they would stay there to discuss the matter with one or two dissentient jurors? No; the process of arriving at their verdict would simply consist in *counting the majority*. Under the present system, the necessity for unanimity forces discussion on them, no matter how averse they may naturally be to it. What security could there possibly be that such deliberation would take place, when there was no motive to induce it? It is unquestionably, even at present, a defect in the trial by jury—perhaps an unavoidable defect, or one that is more than counterbalanced by its advantages, but a defect no less—that juries give their verdicts without being obliged to deliver the reasons on which they founded them. It is not so with the judgments of the judges. On any question that is determined by the judicial bench, the learned judges uniformly accompany their judgments with the reasons on which they are based. This practice, besides settling the law, ensures attention on the part of the judges, and gives authority to their decision. It might be impossible to introduce this practice into juries; but if we abolish the necessity for unanimity, and take the verdict of the majority, we shall send the jury into their room without the slightest guarantee that they will thoroughly investigate the issue which is left them to try. The security for deliberation that we require from the bench, by requiring the reasons of their judgments, we dispense with, or we cannot attain, in the jury box; and would abolish the only substitute which is left us, if, as we have already said, we sent the jury into their room, merely to count their majority, and hand down their issue-paper. And let it not be forgotten that if there be sometimes perverse or partisan jurors, who defeat justice by resisting the opinion of their fellows, that, on the other hand, an intelligent, resolute, conscientious juror may frequently be in the right, although not supported by the majority of the jury at first, until his views are opened to them, and his reasons discussed.

But not only is the system of receiving a verdict of a majority bad in its results, but it is most unjust and reprehensible in its very principle. In Scotland the jury consist of fifteen, and a majority convict. Now what is the consequence of this system? What is the plain avowal made by this constitution of the jury? Why this, that a prisoner may be convicted and executed, although seven honest and intelligent jurors, on their oaths, believe



him to be innocent. We have spoken with Scotchmen on this subject, and we have been met with the reply, that, in point of fact, such a thing never occurs—that in such a case the matter would be remitted to the secretary of state, and, by the favor of the crown, the prisoner's sentence would be commuted. Still, however, he would have been found guilty, and would undergo a commuted penalty, though seven of his jury believe that he never committed the offence for which he was indicted. We confess that this is most repugnant to all our notions of the administration of justice, trained up as we have been in the lesson, that in the prisoner's conviction there must be *no* doubt—that if any reasonable construction of the evidence is found consistent with the supposition of his innocence, he is entitled to his acquittal. Moreover, this necessity for appeal is the very strongest argument against the system; it points out one defect, that which makes the appeal necessary, and generates many others. First, the prisoner's case is brought, by way of appeal, before the secretary of state, where it is virtually reheard behind the prisoner's back, without any one to represent him, without any security whatever that it receives a careful investigation. The executive is forced to undertake the judicial functions—a most unseemly combination. The prisoner is not tried by his peers, but by the ministers of the crown, who are virtually constituted into a secret court of appeal and revision, in all cases of dissenting juries; and, to crown the absurdity, suppose this practice introduced into political trials, and that we had, for example, Lord Clarendon and the privy council sitting in review of the verdicts which were pronounced by ten jurors against two, in the cases of Messrs. O'Brien and Meagher, last March, the very prosecutors themselves determining on the propriety of the verdict. In the next place, the very consciousness that there did exist such a mode of revision would make juries less careful in investigating the case—their responsibility, and, consequently, their anxiety to do right, would be so much diminished; for they would feel that if they erred, there was an opportunity for a review of their decision. And thirdly, these appeals to the executive must materially interfere with that certainty of punishment following on conviction, and following promptly, which is the great requisite to the suppression of crime; public indignation would have subsided against the criminal long before his crime would have been finally adjudicated on; very possibly indignation would have been converted into pity, or into that maudlin sentimentality which is so frequently indulged in;

by long contemplation of the prisoner's fate, men would forget his guilt and his victims, and all sense of right and wrong would be greatly perverted. The executive under such circumstances would never have the support of public opinion in carrying out the extreme sentence, or even a severe one.

There is yet another argument in favor of juries being unanimous, which we find in a speech of M. Arago, member of the late provisional government of France, and who, whatever may be our opinion of him as a statesman, certainly stands in the first rank as a man of science—the point of view in which we are now to regard him.

In 1835, a bill was proposed and adopted in France, for enabling juries to convict by a simple majority, instead of a majority of eight to four. M. Arago spoke against the bill, and the object of his speech was to prove, by mathematical inference, that the probabilities of a verdict being just, increased as the majority of the jury was larger, and that it became infinitely greater when they were unanimous. We quote from the *Annual Register* for 1845. He says:—

“If a verdict is resolved on by ten men out of twelve, there is a greater probability that it will be a just verdict than if it had been pronounced by seven to twelve. The degree of certainty of a judgment is in direct proportion to the number of judges who have delivered it. If you take the hypothesis that the verdict of a jury be decided by a majority of seven against five, as this bill proposes, you will find the result of your calculation to be a fearful one—the chances of error in such a case are in the proportion of one to four. I cannot go through all the calculations before you, but I assure you they were formed in the most conscientious manner, on mathematical principles, and they are supported by the authority of Condorcet, Condillac, Laplace, and all who are versed in the science of calculating probabilities. But let us admit that the jury's error may be as often in favor of the prisoner as against him, so that instead of the proportion of one to four, let us suppose that the probability of error to his prejudice, if the absolute majority be seven against five, is one to eight, or even one to ten. We shall then have it rigorously and mathematically demonstrated that, among the men led to execution, there is one in ten who is innocent. According to the present system, by which the verdict of a jury may be formed by a majority of eight to four, the probability of error is only as one to eight; and as the error may be as much in favor of the accused as against him, let us suppose the

proportion to be one in sixteen. Even with the English system of unanimity, error may occur, but in that case the chances of error are infinitely smaller, for they are as one to eight thousand. I shall look with hope for the day when that unanimity shall be imperatively required by the laws of my country."

It is altogether idle to say that men will not be brought to agree on a subject where they have neither bias nor partialities to deceive them, when the necessity for investigation and discussion is forced upon them. We remember having seen a case of bigamy tried in Dublin by Mr. Justice Ball. The jury retired in the afternoon, and towards evening announced that there was no probability of their agreeing. The learned judge requested that they would consider the subject further, and they withdrew. Late in the evening they were again sent for, and they told the judge that so entirely had they given up all hopes of agreeing, that they had ceased to discuss the subject, and were amusing themselves with other topics of conversation. The learned judge reminded them that it was their solemn duty, so long as they were together, to discuss the subject of the issue which they were sworn to try, and introduce no other topics whatever into the jury-room, and they were then locked up for the night. In the morning they again announced that they had not agreed, in the full expectation of being discharged; but the learned judge once more bid them not to despair of coming to an agreement—he told them that he had frequently known juries to agree, after having absolutely abandoned every hope of doing so, and once more begged of them to retire to their room. They did so, and at two o'clock in the day agreed to their verdict of "Not Guilty"—resting their verdict upon a view of the case, which entirely satisfied every one who heard it; and we never heard it hinted that such verdict was not the conscientious conviction of every man in the jury-box.

We grant it to be an absurd and monstrous custom—a mere senseless relic of barbarism—to keep the jury, while thus in deliberation, without any reasonable degree of refreshment. It originated in a desire to keep the jury free from intemperance. Spelman tells us that the Council of Nice ordained that "*Judices non nisi jejuni leges et judicia decernant*;" that Charlemagne ordained "*let judices jejuni causas audiant et discernant*;" "and from these ancient rites of the church and empire," he says, "is our law derived, which prohibiteth our jurors being *judices de facto*, to have meat, drink, fire, or candle-light, till they be

agreed of their verdict." There can surely be no reason for continuing this absurd usage at the present day; it ought certainly to be in the power of the judge, as well to order the jury refreshment, after they have retired to consider their verdict, as he does all through the trial, in cases where they are not allowed to separate. Beyond doubt he ought to have a discretion in the matter, so as to guard against the indulgence being abused, as he has now a discretion as to the time which he may keep the jury before they are discharged. But this practice of keeping the jury without food is wholly distinct from that of requiring them to be unanimous in their verdict; the one may be altered, and we conceive it should be; and we may yet retain all the security for a careful investigation, for a just judgment, and for an administration of justice at once merciful and efficient, which is provided for us by the other.

Juries, however, under no system will be exempt from error, and there is, we confess, a great anomaly in our law, which if it be possible we would gladly see removed. It must strike every one as being a monstrous thing, that in any civil case, no matter how small may be the amount in dispute, either party may move for a new trial, not only on questions of law reserved, but on matters of fact; on the grounds of the preceding verdict having been contrary to evidence, or because of fresh testimony having been subsequently discovered, or for any other sufficient reason; and yet that in a criminal case, where life and liberty are at stake, the prisoner shall have no such privilege allowed him. We have said that we would most gladly see this changed, *if it be possible*; for although we know that several of our judges would most gladly see the alteration made, yet we are also aware that strong reasons and high authority may be urged against it. Lord Campbell, on a recent occasion, in the House of Lords, when introducing the bill which has given the judges power, in criminal cases, to have questions of law placed on the record, in order to bring them before the court of appeal, declared that he was not prepared to propose that there should be a new trial on the *facts* in all criminal cases; that he knew of no machinery by which that system could be established, and that it would be productive of that delay in the infliction of punishment, which, as we have already observed, must be a most serious evil. We cannot dispute the force of this argument, yet we cannot but feel that the present system subsists rather as a remnant of the oppression to which prisoners were formerly subjected, than as deriving its origin from any well-con-

sidered principle of expediency. Formerly, prisoners indicted for felony were not allowed to produce any witnesses — then they were allowed witnesses, but were not permitted to examine them on oath. In the reign of Queen Anne, they obtained this indulgence, but were still debarred the advantage of having counsel to speak for them; and it was not until the reign of William the Fourth that they obtained this privilege; and they are still precluded from having a new trial. And yet, every one who has attended at courts of justice must have occasionally heard verdicts of conviction pronounced which dissatisfied him—very much oftener, we would say, than M. Arago's calculation would lead us to expect. If the verdict is startlingly opposed to the evidence, the judge will recommend a pardon, which is granted, as of course. Baron Lefroy, in a case of rape, where it was clear upon the evidence that the woman consented, recommended the prisoner for a pardon, and he was at large in the town before the assizes were over. This course imposes a most unfair amount of responsibility on the judge, and it invests him with a control over the verdict which it is in every way most injudicious he should frequently exercise. But it may often occur that the verdict will be unjust, and one which might be rectified on a new trial, although not apparently at variance with the evidence so as to warrant the interposition of the judge. For example, two men were indicted before Mr. Justice Jackson, at Limerick, for stealing a gun; they were both convicted, but one of them only was guilty, and he had acknowledged his guilt to his counsel. After the trial, his counsel obtained his leave to show his brief to the learned judge, and the evidence fell in so entirely with the prisoner's representation of the case, with the assumption of the guilt of one and of the innocence of the other, that the learned judge recommended the man, whom he could not now doubt to be innocent, for a pardon, which was of course granted, and he was discharged. Yet here, but for the confession of guilt by his comrade, and the exertion of counsel and the consideration of the judge, he would have suffered the sentence which was pronounced upon him. The evidence of Sir Frederick Pollock, the present Chief Baron of England, before the Commissioners of Criminal Law, in 1845, is of so appalling a character, that we cannot but lay it before our readers. He says —

"I will endeavor to give to the commissioners some of the circumstances which occurred during the shrievalty of one of the sheriffs of London, Mr. Wilde, an attorney. He was elected upon the death of one of the sheriffs

chosen in 1827. During the seven months he was in office, by his exertions, he saved several men from execution—I think as many as seven, but I am certain as to five. I had frequent communication with him on those cases, as they proceeded. My impression is, that several of those cases were cases of *perfect and entire innocence*; and the others were cases of innocence with respect to the capital part of the charge. Sir Robert Peel, then secretary of state, paid great attention to every recommendation to mercy; and, having satisfied himself in each case that the prerogative of the crown ought to interfere, the lives of every one of the individuals were spared. The result satisfied me that the parties were, in several instances, guiltless of any crime; and in all cases were such as did not justify capital punishment. It has always, since this occurred, been impressed upon my mind as a very appalling fact, that in one year (nine months) so many persons were saved from public execution, for which, I believe, most, if not all of them, had been actually ordered (six persons had been capitally convicted, and left for execution); and I am persuaded, that, unless the practical difficulties be insuperable—which I do not apprehend would be the case—some legal constitutional mode ought to be adopted, by which errors and mistakes should be corrected in criminal trials, as well as they may now be in civil cases."

We would but weaken the authority of this powerful statement of the Chief Baron's, by anything which we could attempt to add to it. Six innocent men ordered for execution within nine months. This in London—the centre of civilization and intelligence—the very temple of trial by jury. And what is the dreadful suggestion this appalling fact must lead to, as to the numbers who may have been unjustly executed when no such exertions as Mr. Wilde's were made? It is only astonishing that on a subject of such great—shall we say it?—of such fearful importance, recommendations coming from such authority, and supported by such evidence, should have been so long neglected.

The only precaution which can now be taken against the evils which Sir F. Pollock thus illustrates, consists in the selection of efficient and intelligent jurors. "The great objection," says Lord Eldon, "to trial by jury, appears to be founded on the fact, that people of low condition serve as jurors. No one," he adds, "can have gone a circuit, without seeing twelve men upon a jury, who, if they did not implicitly follow the directions of the judge, would be quite incompetent to form an opinion upon



any case at all complicated in the facts that constitute it." It is to guard against this evil, that the sheriff is intrusted with the enormous power with which he is invested—that of selecting from the legally-qualified jurors of his bailiwick such as he deems to be *bonâ fide* competent to discharge their duties efficiently—men *probos et legales*; and it were greatly to be desired that the jurors who are returned to try the most important interests which men can deal with—the lives and liberties of their fellows—were not, as is too frequently the case, taken from the common jurors of the county, but that they were selected from the better class of which the record and special panels are composed. But, notwithstanding every effort which may be made by the sheriff to render the tribunal a competent one, we cannot but fear that our jury system never will be perfect, until the privilege of applying for a new trial in criminal cases be conceded. We confess that we advocate this alteration in our law with considerable hesitation, because, notwithstanding the arguments and authorities by which it is recommended, we are aware of the difficulties by which it is surrounded, and the authority by which it is opposed. We have felt it to be our duty to lay both these before our readers; but for ourselves we never can allow that any considerations of general expediency, even supposing that they exist, can be allowed to weigh against the maxims by which all jurisprudence should be directed—to do justice, and to love mercy.

There is yet another subject connected with our jury system, to which the political trials of this year have drawn considerable attention, and which it would be impossible to dismiss the subject without briefly adverting to—we allude to the exercise of the right of challenge. This is the subject which, of all others, on every occasion of political trials in this country, calls forth the fiercest party animosity; and it must ever continue to do so whilst the great bulk of the legally-qualified jurors sympathize with sedition, for so long it is imperatively necessary that it shall be exercised. We will not say that the administration of justice has been brought into contempt by the extent to which this right has been exercised by the crown, for we are convinced that if it were not so exercised, justice could never be administered in political cases at all—the very name would become a mockery, and the impanelling of jurors would be but a formal preliminary in the marshalling a triumph for the offenders. We cannot, however, at the same time, but admit that this is a most dangerous power, which nothing but an imperious necessity could justify the continuance of; it is not

only open to abuse, but it invites to it, and it can never be too rigorously watched in its exercise by the controlling vigilance of public opinion. The state of the case is shortly this—both the prisoner and the crown are allowed as many challenges for cause as they can support, and the prisoner is further allowed a limited number of challenges, without any cause assigned; but our non-professional readers will be surprised to hear that the crown has legally no power whatever of challenging without cause. It is expressly enacted, by a statute as old as the reign of Edward I., that those who sue for the crown must assign for their challenge a cause certain. A practice, however, grew up, of not requiring the law-officers of the crown to assign the grounds of their challenge to the polls until the whole panel has been gone through, and therefore it is that the juror is only ordered to "stand by" on the part of the crown, but that he is "challenged" by the prisoner. If the crown order the whole of the panel, one after the other, to "stand by," without having selected their jury, then it is, and not until then, that they are asked to assign their cause of challenge; so that it is perfectly plain that the whole spirit of the act is violated by this construction of it, for this practice has, in point of fact, given to the crown as many peremptory challenges as there are names on the panel, less only by twelve. This practice, which for centuries depended on a mere rule of construction, arbitrarily adopted from an undue deference to the authority and influence of the crown, has, however, been legalized in Ireland, by an act passed in the reign of George IV. Now, it is impossible not to see the enormous power which is thus vested in the government. It is impossible to deny that the practical effect of this system is not only to give a power of rejection, but a power of selection; it enables the government not merely to lay aside the disaffected—as it is most fit they should—but to select their own partisans, as it would be most arbitrary, unconstitutional, and tyrannical of them to do. It never was intended to invest the government with such a fearful power as this, of naming their own jurors—the whole spirit of our laws is repugnant to it. Out of a panel of some hundred names, it is idle to say that the government could not select some twelve, who, from motives of interest, or bias, or prejudice, would find for the crown under any circumstances. In ordinary cases, no difficulty arises, because the crown, then merely representing the private prosecutor, can never have any undue desire to obtain a conviction, nor can it be suspected of it: but where the government itself is *bonâ fide* the prosecutor

when political offences are the subject of prosecution, when all the angry feelings of party are called forth — when conscience itself sinks beneath the intensity of political excitement — then, indeed, arises the necessity for exercising this power, and the danger of abusing it; then must the law-officers of the crown carefully but resolutely reject every juror whom they conscientiously believe to coöperate or to sympathize with traitors; then must they, at the same time, most scrupulously guard against admitting any whose judgments are unduly biased in favor of the crown. Their duty is a most arduous one: looking to the oath which the juror takes, they must allow none to pass upon the trial, who they are not in their consciences convinced will fulfil its obligations, namely, “that they will well and truly try, and true deliverance make between our sovereign lady, the Queen, and the prisoner at the bar, and a true verdict give according to the evidence.” Most gladly, as we have already said, if it were possible, would we see this fearful amount of discretionary power taken from the crown; but it is impossible in a country where a great proportion of the jurors are leagued with the disaffected; its exercise must be confided to the honor, and justice, and right feeling of the law-officers of the crown, and to the control which is exercised by public opinion. Fortunately political trials are of rare occurrence; for, however fairly and necessarily this privilege may be used, it will surely be assailed by the partisans of the disaffected, and the prestige of absolute purity, of unimpassioned justice, which ought ever to invest the administration of the law — not only beyond reproach, but beyond suspicion, will be materially diminished; but there is no more possibility of applying an abstract standard of perfection to the administration of the law, than to the principles of government — both must be adapted to the condition of the people; and anxiously as we may hope for the time when this formidable power of challenge may with safety be abrogated or controlled, to abolish it now would be as ill suited to Ireland, in its present condition, as democracy would be to Egypt, or despotism to America.

And as this power of challenge must be confided to the conscience of the law-officers of the crown, so is there another power committed to the jury, and entrusted to them solely on the faith that their conscience will control its exercise; that, namely, of their finding on the law of the case. The maxim of law is, that the jury have to deal with the facts alone, and the judges with the law, as it is laid down by Lord Coke. “*Ad questionem facti respondent non iudices, ad questionem legis respondent*

*non juratores.*” Notwithstanding, almost every question which goes into the jury-box is a mixed question of law and fact, and it has been repeatedly contended, that, in criminal cases, where the prisoner pleads generally “not guilty,” everything, whether of law or fact, which goes to constitute his guilt, is committed to the jury, and that there is no legal or constitutional obligation on them to take the law from the judge. Unquestionably the power is vested in the jury of judging both of the law and of the fact, and hence the *right* is inferred; it is argued that this power never would have been entrusted to them, if it had not been intended that it should have been exercised, and that there is no means whatsoever provided by the constitution to guard against or to remedy its abuse. At the time when Messrs. O’Brien, and Meagher, and Mitchell were tried in Dublin, it was strongly urged by the liberal press, which circulated among the jurors of the city, that the law of the case was for them, and that they were under no obligation whatsoever to receive it from the judge; and we have heard Mr. Baron Pennefather censured for refusing the application of the jury on O’Dogherty’s trial, that they should have a copy of the act of parliament under which the prisoner was indicted, that learned judge telling them that the law was for the court, and that they were to receive it as laid down by him. In the debate on Fox’s libel bill, Lord Loughborough declared that “when the law and fact were blended, it was the undoubted right of the jury to decide;” and the Master of the Rolls (afterwards Lord Alvanley) declared in the same debate, that “Juries had gone in opposition to the direction of the judges, and perhaps we were indebted to their conduct on such occasions for some of the most inestimable blessings we enjoyed.”

It was, however, in the progress of this same proceeding, that the doctrine received its most decisive condemnation. The judges were consulted on the subject by the House of Lords, and pronounced this unanimous opinion:—

“We conceive the law to be, that the judge is to declare to the jury what the law is, and that it is the duty of the jury, if they will find a general verdict upon the whole matter in issue, to compound that verdict of the fact, as it appears in evidence before them, and of the law as it is declared to them by the judge. The line marked out by the law, for the conduct of a jury giving a general verdict, has an universal application to general issues in all cases, civil and criminal; for we cannot distinguish between the office and authority of a jury, in civil and criminal cases, whatever difference there may be in their responsibility.”

This authoritative declaration of the law of England ought to be conclusive on the subject, even if it were not supported by the plainest dictates of justice and common sense. Could a more monstrous proposition be maintained, or one more at variance with the whole spirit of the English constitution, and the English nature, than that an uninformed, secret, uncontrolled tribunal is to take upon itself the office of administering the law, to adopt or reject at pleasure the enactments of the legislature, and to supersede the public exposition of that law, as delivered by the learned judges, under the control of public censure, and liable to be made responsible to parliament and the sovereign. Their *power* of doing so only arises from the necessity of the case—*right* they have none. In almost every case, whether it be treason and sedition, or murder, manslaughter, or such like, considerations of law and fact are so intimately blended, that it is impossible to separate them; but the jury are bound by every moral obligation to take the law from its authorized expositor—the judge. In cases of difficulty, they can protect themselves by a special verdict, by finding the facts of the case specially, and submitting the law on such a state of facts to the consideration of the court, where it can be fully argued and investigated; but in no case should they encroach upon a province for which they are avowedly incompetent, and which was never intended for them; then, indeed, would trial by jury become a mockery and a snare.

We have thus briefly adverted to some of the most prominent topics in connection with our trial by jury. It is in vain to deny that

it has many defects peculiar to itself, besides sharing in those to which all human tribunals are liable. In order to guard in some degree against these evils, we have ventured, notwithstanding the argument and authority which is opposed to us, to advocate for the accused the privilege of applying for a new trial in criminal cases. Subject to this suggestion, and bearing the circumstances of the country in mind, we are entirely convinced that the present system is that which is most efficient for the administration of justice.

But it is impossible to contemplate the trial by jury without feeling convinced that its political disadvantages are inferior only to its judicial. On this we have no opportunity now to enter, nor is it immediately connected with our present purpose. But we may just close this article by observing that the juridical power of the people, through the medium of juries, has, more than any other institution, preserved the English Constitution—it identifies every member of the community with the administration of the law, and naturally attaches him to that law which he is called on to dispense, instead of setting him in hostility to the authority to which he is bound to submit. It prevents the possibility of collision between the people and the legislature, for it imposes on the latter the necessity of passing such laws as are adapted to the character and manners of the country, as such only will be vigorously enforced by the jury. It increases the intelligence and information of the people, and imbues them with a sense of right, a respect for property, for character, and for themselves. — *Dublin Univ. Mag.*

## ALLEGORICAL ORIGIN OF PRECIOUS STONES.

We feel great pleasure in presenting to our readers the following sublime passage, extracted from the third edition of "*FESTUS*," just published. It appears to us to be quite unique in the whole world of poetic creations:—

*Festus.* My mind is full  
Of stories she hath told me of our world.  
No word an angel utters lose I ever.  
One I will tell thee now.

*Helen.* Do! let me hear!  
Thy talk is the sweet extract of all speech,  
And holds mine ear in blissful slavery.

*Festus.* 'T was on a lovely summer afternoon,  
Close by the grassy marge of a deep tarn,  
Nigh half way up a mountain, that we stood,  
I and the angel, when she told me this.  
Above us rose the gray rocks, by our side  
Forests of pines, and the bright breaking wavelets  
Came crowding, dancing to the brook like thoughts

Unto our lips. Before us shone the sun.  
The angel waved her hand ere she began,  
As bidding earth be still. The birds ceased singing,  
And the trees breathing, and the lake smoothed down  
Each shining wrinkle, and the wind drew off.  
Time leant him o'er his scythe, and listening, wept.  
The circling world reined in her lightning pace  
A moment; Ocean hushed his snow-maned steeds;  
And a cloud hid the sun, as does the face  
A meditative hand: then spake she thus:—

Scarce had the sweet song of the morning stars—  
Which rang through space at the first sign of life  
Our earth gave, springing from the lap of God  
On to her orbit—ended; when from heaven  
Came down a white-winged host, and in the east  
Where Eden's Pleasance was, first furl'd their wings,  
Alighting like to snow-flakes. There they built,  
Out of the riches of the soil around,  
A house to God. There were the ruby rocks,  
And there, in blocks, the quarried diamonds lay;  
Opal and emerald mountain, amethyst,



Sapphire and chrysoprase, and jacinth stood  
 With the still action of a star, all light,  
 Like seabased icebergs, blinding. These, with tools  
 Tempered in heaven, the band angelic wrought,  
 And raised, and fitted, having first laid down  
 The deep foundations of the holy dome  
 On bright and beaten gold; and all the while  
 A song of glory hovered round the work  
 Like rainbow round a fountain. Day and night  
 Went on the hallowed labor till 't was done.  
 And yet but thrice the sun set, and but thrice  
 The moon arose; so quick is work divine.  
 Tower, and roof, and pinnacle without,  
 Were solid diamond. Within, the dome  
 Was eyeblood sapphire, sown with gold-bright stars  
 And clustering constellations; the wide floor,  
 All emerald, earthlike, veined with gold and silver,  
 Marble and mineral of every hue  
 And marvellous quality; the meanest thing,  
 Where all things were magnificent, was gold—  
 The plainest. The high altar there was shaped  
 Out of one ruby, heart-like. Columned round  
 With alabaster pure was all. And now  
 So high and bright it shone in the mid-day light,  
 It could be seen from heaven. Upon their thrones  
 The sun-eyed angels hailed it, and there rose  
 A hurricane of blissfulness in heaven,  
 Which echoed for a thousand years. One dark,  
 One solitary and foreseeing thought,  
 Passed, like a planet's transit o'er the sun,  
 Across the brow of God; but soon he smiled  
 Towards earth, and that smile did consecrate  
 The temple to himself. And they who built  
 Bowed themselves down and worshipped in its walls.  
 High on the front were writ these words—To God!  
 The heavenly built this for the earthly ones,  
 That in His worship both might mix on earth,  
 As afterward they hope to do in heaven.  
 Had man stood good in Eden, this had been;  
 He fell, and Eden vanished. The bright place,  
 Reared by the angels, of all precious things,  
 For the joint worship of the sons of earth  
 And heaven, fell with him, on the very day  
 He should have met God and his angels there—

The very day he disobeyed and joined  
 The host of Death black-bannered. Eden fell:  
 The groves and grounds, which God the Lord's own  
 feet

Had hallowed; the all-hued and odorous bowers  
 Where angels wandered, wishing them in heaven;  
 The trees of life and knowledge—trees of death  
 And madness, as they proved to man—all fell;  
 And that bright fane fell first. No death-doomed eye  
 Gazed on its glory. Earthquakes gulped it down,  
 The Temple of the Angels, vast enough  
 To hold all nations worshipping at once  
 Lay in its grave; the cherubs' flaming swords  
 The sole, sad torches of its funeral.  
 Till at the flood, when the world's giant heart  
 Burst like a shell, it scattered east and west,  
 And far and wide, among less noble ruins,  
 The fragments of that angel-built fane,  
 Which was in Eden, and of which all stones,  
 That now are precious, were; and still shall be  
 Gathered again unto a happier end,  
 In the pure city of the Son of God,  
 And temple yet to be rebuilt in Zion;  
 Which, though once overthrown, and once again  
 Torn down to its foundations, in the quick  
 Of earth, shall soul-like yet re-rise from ruin—  
 High, holy, happy, stainless as a star,  
 Imperishable as eternity.

The angel ended; and the winds, waves, clouds,  
 The sun, the woods, and merry birds went on  
 As theretofore, in brightness, strength, and music;  
 One scarce could think that earth at all had fallen,  
 To look upon her beauty. If the brand  
 Of sin were on her brow, it was surely hid  
 In natural art from every eye but God's.  
 All things seemed innocence and happiness.  
 I was all thanks. And look! the angel said,  
 Take these, and give to one thou lovest best:  
 Mine own hands saved them from the shining ruin  
 Whereof I have late told thee; and she gave  
 What now are greenly glowing on thine arms.  
 Ere I could answer, she was up, star-high!  
 Winging her way through heaven.

### GOETHE'S CAMPAIGN IN 1792.

#### *Campaign in France in the Year 1792.*

Translated from the German of Goethe by  
 R. Farie. Post 8vo. Chapman and Hall.

The fame of Goethe, like that of our own Coleridge, is growing year by year. The avalanches are accumulating, and their influence will, ere long, descend into the valleys of human intelligence. Hitherto they have maintained an unapproachable eminence; but their presence amongst us, on the level of the humblest companionship, may be daily expected.

Mr. Farie, the editor of the present work, has extracted in this volume so much of Goethe's memoirs as relates to the invasion of France in the year 1792, by the allied army, under the command of the King of Prussia and the Duke of Brunswick, on which occasion Goethe accompanied the Duke of Weimar. Here we have the result of the poet's observations—at once, both graphic and profound.

Nothing is too minute, nothing too lofty for his contemplation. The following extracts will show the extent of his poetic sympathy:—

#### A PASTORAL TRAGEDY.

“Thus did the Prussians, Austrians, and a portion of the French, come to carry on their warlike operations on the French soil. By whose power and authority did they this? They might have done it in their own name. War had been partly declared against them—their league was no secret; but another pretext was invented. They took the field in the name of Louis XVI.: they exacted nothing, but they borrowed compulsorily: *Bons* had been printed which the commander signed: but whoever had them in his possession filled them up at his pleasure, according to circumstances, and Louis XVI. was to pay. Perhaps, after the manifesto, nothing had so much

exasperated the people against the monarchy as did this treatment. I was myself present at a scene which I remember as a most tragic one. Several shepherds who had succeeded in uniting their flocks, in order to conceal them for safety in the forests or other retired places, being seized by some active patrols, and brought to the army, were at first well received and kindly treated. They were asked who were the different proprietors: the flocks were separated and counted. Anxiety and fear, but still with some hope, fluctuated in the countenances of the worthy people. But when this mode of proceeding ended in the division of the flocks among the regiments and companies, whilst, on the other hand, the pieces of paper drawn on Louis XVI. were handed over quite civilly to their proprietors, and their woolly favorites were slaughtered at their feet by the impatient and hungry soldiers, I confess that my eyes and my soul have seldom witnessed a more cruel spectacle, and more profoundly manly suffering in all its gradations. The Greek tragedies alone have any thing so purely, deeply pathetic."

Take, also, the description of his feelings while undergoing the effect of a cannonade, the dangers of which, with his characteristic fearlessness, the poet had audaciously dared:—

#### THE CANNON FEVER.

"I had now arrived quite in the region where the balls were playing across me: the sound of them is curious enough, as if it were composed of the humming of tops, the gurgling of water, and the whistling of birds. They were less dangerous by reason of the wetness of the ground; wherever one fell, it stuck fast. And thus my foolish experimental ride was secured against the danger, at least, of the balls rebounding.

"In the midst of these circumstances, I was soon able to remark that something unusual was taking place within me; I paid close attention to it, and still the sensation can only be described by similitude. It appeared as if you were in some extremely hot place, and at the same time quite penetrated by the heat of it, so that you feel yourself, as it were, quite one with the element in which you are. The eyes lose nothing of their strength or clearness; but it is as if the world had a kind of brown-red tint, which makes the situation as well as the surrounding objects more impressive. I was unable to perceive any agitation of the blood; but everything seemed rather to be swallowed up in the glow of which I speak. From this, then, it is clear in what sense this condition can be called a fever. It is remarkable, how-

ever, that the horrible uneasy feeling arising from it is produced in us solely through the ears. For the cannon thunder, the howling, whistling, crashing of the balls through the air, is the real cause of these sensations.

"After I had ridden back, and was in perfect security, I remarked with surprise that the glow was completely extinguished, and not the slightest feverish agitation left behind. On the whole, this condition is one of the least desirable, as indeed, among my dear and noble comrades, I found scarcely one who expressed a really passionate desire to try it.

The following is a highly dramatic scene:—

#### A SINGULAR NIGHT SCENE.

"A violent knocking was heard at the fast-locked outer-door, to which they paid no attention, as they had no desire to admit more visitors; the knocking continued, a most plaintive female voice calling out, and beseeching clamorously that the door might be opened. Softened at length, they unlocked the door, and an old woman, one of the camp-followers, rushed in, carrying something wrapped up in a cloth on her arm; behind her was a young woman, not bad-looking, but pale and debilitated, and scarcely able to stand on her legs.

In a few words, and with great energy, the old crone explained the state of the case, displaying a naked infant, of which the woman had been delivered on their flight. They had, in this way, been left behind, and ill-treated by the peasants, and this night had arrived at last at our door. The mother, as her milk had left her, had not yet been able since the child was born to give it any nourishment. The old woman now demanded impetuously, meal, milk, and a pan, and linen to wrap the child in. As she did not know French, we had to ask for her; but her imperious and passionate gestures gave sufficient pantomimic weight and emphasis to what we said. What she demanded could not be brought fast enough; and when it was brought it was not good enough for her. It was curious, too, her alertness in going to work; she soon drove us back from the fire, the best place being immediately engaged for the young mother, she herself sitting upon her stool with as confident an air as if the house had been her own. In a twinkling the child was washed and wrapped up, the pap boiled; she fed the little creature first, then the mother, paying little attention to herself. Afterwards she required fresh clothes for the sick woman, whilst the old ones were drying. We looked at her in amazement; she understood how to make requisitions.

"The rain abated: we went to our former

quarters, and shortly after the hussars brought the sow. We paid what seemed a reasonable price for it. It had now to be slaughtered; this was done, and a staple being found in the beam of the adjoining room, it was hung up there, to be properly cut up and prepared.

"That our hosts, on this occasion, manifested no ill-nature, but displayed rather a desire to help us, appeared somewhat singular to us, as they had good reason to consider our conduct both barbarous and inconsiderate. In the same room in which we were carrying on the operation, the children were lying in their clean beds, and being awakened by the noise we made, they peered out prettily from among the blankets, with frightened glances. The sow was hanging close to a large double marriage-bed, closed in carefully with green serge, the curtains constituting a picturesque background to the illuminated carcass. It was a night-piece without its like. But the inmates could not have indulged in such reflections; we remarked rather that they had some grudge against the people from whom the sow had been taken, and felt a certain malicious pleasure about it. We had before, also, promised them some of the meat and sausages; and this

was all serviceable to us in the operation, which had to be completed in a few hours. Our hussar now showed himself as active and alert in his department, as the gipsy over the way did in hers; and we already enjoyed, in anticipation, the good sausages and joints of meat which were to fall to us as our share of the booty. To await this, we lay down in the smithy of our host upon some delicious corn shocks, and slept soundly till day broke. Meanwhile our hussar had finished his business inside the house; breakfast was ready waiting for us, and the remainder of the beast packed up, our hosts having first obtained their share, not without some discontent on the part of our people, who maintained that kindness was ill bestowed upon them, having doubtless both meat and other good things concealed, which we had not yet learned the proper way of ferreting out."

It is in the painting of such scenes that Goethe's excellence consists. The present work is so full of them, that it might be nearly all quoted. It concludes with a description of the siege of Mentz, which will be read with peculiar interest.—*Jerrold's Newspaper.*

#### LITERARY AND SCIENTIFIC INTELLIGENCE.

MINOR NOVELS AND COMICALITIES. — It is humane, no doubt, in place of "breaking butterflies on a wheel" to lay them pleasantly on a bed of roses, singing charitably the while,—

Poor insect! what a little day  
Of summer bliss is thine;—

but entomological benevolence may be carried too far. It must not be forgotten that among the "winged tribe" is numbered *The Family Locust*—famous for bringing down dearth on the land where it alights. There is a point, in short, at which the interests of a race nobler than the genus *Papilio* demand that the Philanthropist should lay by the gauze net and take up the fumigating apparatus.

Such is in some degree the position from which the Critic must now regard these tiny books which for the moment unwholesomely threaten to supersede every other order of prose fiction. With the increase of the library is increasing the audacity of its authors and their disposition to experimentalize upon popular endurance. Not an accident or occurrence of daily life is now thought unworthy

of being minutely novelized. We shall ere long have "The Comb," with cuts,— "The Brush," with border illustrations,— "Dealings in the Dust-hole"— "A Pictorial Washing Book"—a "Comic Knife Board." Meanwhile, to alternate with such familiarities—for the edification of the world which is too sentimental to amuse itself in the scullery—we find the terrible and equally unrefined sublimities of the *Minerva Press* (the "fonts" whereof are broken up) reappearing in fragmentary and cheap forms. Bowls, daggers, ghosts, cloisters, come out once a month, "to be continued," with a rank plenteousness that is disconcerting.—There is a third *modus operandi*. The cells of Bedlam are opened—the depths of the Thames are dragged—blind alleys are ransacked—and night-houses invited to tell their secrets; and this under pretext of nature and sympathy and philanthropic effort!

That some of our most popular and best-intentioned authors are not guiltless of having brought about this state of affairs is a fact which must never be forgotten when we are



dealing with the fry whom their success has warmed into life—but the statement thereof will be sufficient for the moment. Let us also seriously declare that our speculations are generally directed against the Ragged Schools of fiction, physiology, philosophy, &c., which have recently been so liberally opened, rather than against any one particular master or mistress engaged in trash-teaching. We consider the deterioration of the instructors no less than the mischief done to their clients; and, having been obliged to some among them for merry moments ere the flux of production so fiercely set in, we are anxious to return service for service. Most of these works would not be worth mentioning at all—but that many of them are the works of men who can do far better things.

Here is lively Mr. Angus Reach, who opens "*The Book with the Iron Clasp*," alias "*Clement Lorimer*," with a grim determination to treat us to a story of tradition, crime and mystery, à la mode Française. It is impossible to foresee into how much bad company we may be led ere the Book be shut,—since, when a vow of revenge has once been taken by the hero of a fiction, we know from awful experience that he is "to stick at nothing" to the very last page in which his *exit* downwards takes place;—especially when at the very outset we have two poisonings and one *royade*!

What need was there, O pleasant Thomas Miller! for you to again begin (the tenth time at least that they have been attempted) with "*The Mysteries of London*"? Sue "led the way;" and people have been found to defend his morality—very nearly as wisely as those who could regard a Witches' Sabbath as a rite of real worship. But we had hoped that after many false starts and failures "*The Mysteries of London*" would remain unrevealed. But they will not be disclosed by Mr. Miller—so far as the first numbers of the disclosures here commenced warrant us in prophecy. This anticipated—we may add, that for an author to leave "bubbling runnels" for the kennels of St. Giles and Marylebone—Sherwood Forest for the Rookery—and *Maud* and *Marian* for the wax-work rich folks and the penny-theatre poor ones here introduced, seems a melancholy exchange,—a voluntary hastening down hill.

From these dismal books we will turn to one or two comic ones—comic?—nay, rather farcical, of the broadest and most familiar quality. *The Pottleton Legacy*, by Mr. Albert Smith the productive, "troubles us mightily." If the school of minute observation is to lead to the description of such scenes as Miss Twinch's

miserly housekeeping and railroad journey—as the party at the Wracketts' and Mrs. Cooze's London hospitality,—why, loth as we are to discourage Truth and Nature, we must say "better shut the school" for any profit likely to accrue from its teachings. There may be nothing strictly objectionable therein, but the entertainment is addressed to the lowest order of intelligence. The laughter becomes ashamed of having laughed. Nor are we to be propitiated by the wicked characters brought forward in imitation of the pitch-black shadows of late too recklessly dealt in by Mr. Dickens. Mr. Smith might have produced something far superior to this tale—but a few essays more in the same style will go far to destroy his powers utterly.

We can give only one short paragraph to three more little books. M. Angus Reach is more at home in *The Comic Bradshaw*, or, *Bubbles from the Boiler*, than in his tale of the Italian vendetta. The best hits in the same author's *London on the Thames*, or, *Life above and below Bridge*, are to be found among the "sixty-two illustrations by Hine, Gavarni, and others."—Mr. Carleton's *Natural History of the "Hawk" Tribe* is vulgar—if we must call things by their right names. The idea, too, was apparently suggested by Mr. Thackeray's "Rook" and "Pigeon," in the "Heads of the People."—*Athenæum*.

RECENT INVENTIONS.—*Australian Wool, and Cloth from It*.—Assuredly one of the most important of our colonial productions is wool. The rapid increase of the importation of this article from Australia is among the most remarkable of our statistical returns. Twenty-two years ago, 323,995lb. of wool were imported to Great Britain from Australia; in 1840, it was 12,162,613lb., according to official returns. Since then the importations of this article are shown to have reached the enormous amount of upwards of 60,000,000lb. Such an augmentation in so short a time even go-a-head people will admit is surprising. The superiority of the Australian wool gives it the preference in the English market, for general purposes. In fact Australia now supplies the wool from which the very finest of our woollen fabrics may be manufactured, and there can be no doubt but that the production and sale of this article is destined to become one of the most important branches of our commerce. From this wool Mr. Sayce, of Cornhill, has manufactured a very beautiful wool-dyed cloth, smooth, glossy, firm, yet delicate. Certainly, there is some inequality if we compare it to cloth from Saxony wool; but the inequality is not in quality (we plead quil-

ty to a clashing of words, but we state a simple matter of fact)—it is in price. Australia undersells Saxony. Mr. Sayce is cheaper than Frome or Leeds. Now that so much is said and done—and we some time ago predicted that such would be the case—in the way of emigration, we notice this matter of Australian produce more fully than we otherwise should. We must give a word to another manufacture for which men are indebted to Mr. Sayce—the *thermogenic* (those Greek names!) cloth, made from the *undyed* black wool of a particular kind of Australian sheep, made into the warmest driving or travelling coats. Most people have been annoyed with the unseaminess of the seams of such coats, especially dark-colored coats, before the garment was half-worn; black at the back, white at the elbows. This whitening—it has a disreputable *whitewashed* look—is rendered impossible by Mr. Sayce's manufacture of cloth from wool naturally black. Wear cannot affect its hue, neither can weather. It is dark to the last, and being colored by Nature, of course will not, even when wet, soil the most delicate of gloves; nor needs it to be "restored." In a very excellent work, "Bischhoff's History of Woollen and Worsted Manufactures," it is said, on the authority of Mr. Henry Hughes, wool-broker, as he gave information to a committee of the House of Lords: "They [Australian wools] are known to require less of the milling or fulling power than any other description of wools. Fine woollen sheep have been exported to those colonies, and they have improved in a wonderful degree, which cannot be accounted for by the best judges, except from the climate. The sheep run there, as in this country, without any care; they are left to themselves; the climate does not require the housing of them as in Germany." Hence a greater cheapness. Other merchants and colonists fully corroborated Mr. Hughes.

*Markwick's Patent Epithems.*—Some time ago we called attention in our "Inventors'

Column" to these epithems, and the substance of which they are composed, *spongio-piline*—a fabric of sponge and wool felted together, coated on one surface with caoutchouc. We showed its great usefulness and superiority for the application of poultices, fomentations, blisters, &c. A report, addressed by Mr. W. Thompson Kay, assistant-surgeon of the Plymouth division of Royal Marines, to Sir W. Burnett, the medical director-general of the navy, shows the excellence of this invention. Mr. Kay says, as to the durability of the material, "Under ordinary circumstances a piece of this fabric may be applied from 50 to 60, or even more than 100 times as a poultice, without any diminution of its good qualities or deterioration of its material. I have frequently applied it more than 60, in many cases 80 or 90 times, and in two or three upwards of 100.

*Improvement in Chronometers.*—Mr. Loseby has produced an improvement in chronometers little known beyond the Admiralty. He has applied mercury to make chronometers "keep the *even* tenor of their way" in all temperatures, as ship-chronometers are generally adjusted for extremes of heat and cold, and "gain" in the intermediate temperatures. The excellence of the invention is shown by the following extracts from the Astronomer Royal's report to the Admiralty Board:—"I consider this invention (taking advantage very happily of the two distinguishing properties of mercury—its fluidity, and its great thermal expansion) as the most ingenious that I have seen, and the most perfectly adaptable to the wants of chronometers. I am not aware that it is liable to any special inconvenience.

I think it my duty to report as my opinion that Mr. Loseby's construction has successfully effected its object, and remarking the ingenuity of the method used, and the fertility of its principle, I now state as my opinion to the Board of Admiralty, that Mr. Loseby is entitled to their lordships' general encouragement."

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